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HOUSE JOURNAL
of the
FIFTY-SECOND LEGISLATURE
of the
STATE OF MONTANA

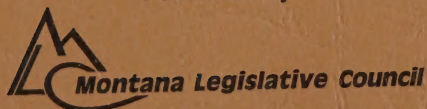
VOLUME I

**Held in Helena, the Seat of Government
Commencing in Regular Session January 7, 1991
and Ending April 29, 1991**

HAL HARPER
Speaker of the House

JOYCE ANDRUS
Chief Clerk of the House

Published by



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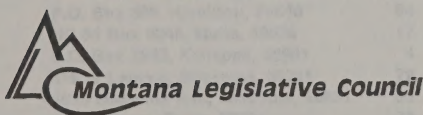
Hal Harper
Speaker of the House

Joyce Andrus
Chief Clerk of the House

Laura Stafford
Journal Clerk

Barbara Froehlich-Sheline
Assistant Journal Clerk

Published by



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OFFICERS AND MEMBERS OF THE MONTANA HOUSE OF REPRESENTATIVES 1991

100 Members

61 Democrats

39 Republicans

OFFICERS

Speaker Hal Harper
 Speaker Pro Tempore Dave Brown
 Majority Leader Jerry Driscoll
 Majority Whip Paula Darko
 Minority Leader John Mercer
 Minority Whip Larry Grinde
 Chief Clerk of the House Joyce Andrus

MEMBERS

<u>Name</u>	<u>Address</u>	<u>Dist No</u>	<u>County of Residence</u>	<u>Party</u>
Bachini, Bob	409 19th St, Havre, 59501	14	Hill	Democratic
Bardanoue, Francis	P.O. Box 367, Harlem, 59526	16	Hill	Democratic
Barnett, Joe	204 N Davis, Belgrade, 59714	76	Gallatin	Republican
Barnhart, Beverly	614 S 6th, Bozeman, 59715	80	Gallatin	Democratic
Beck, Gary	93 East Side Rd, Deer Lodge, 59722	48	Lewis & Clark	Democratic
Becker, Arlene	1440 Lewis Ave, Billings, 59102	91	Yellowstone	Democratic
Benedict, Steve	P.O. Box 668, Hamilton, 59840	64	Ravalli	Republican
Bergsagel, Ernest	HC 84 Box 8045, Malta, 59538	17	Valley	Republican
Boharski, William E.	P.O. Box 2965, Kallispell, 59901	4	Flathead	Republican
Bradley, Dorothy	919 W Lamme, Bozeman, 59715	79	Gallatin	Democratic
Brooke, Vivian M.	1610 Madeline Ave, Missoula, 59801	56	Missoula	Democratic
Brown, Dave	3040 Ottawa, Butte, 59701	72	Silver Bow	Democratic
Brown, Jan	906 Madison Ave, Helena, 59601	46	Lewis & Clark	Democratic
Clark, Robert C.	P.O. Box 262, Ryegate, 59074	31	Wheatland	Republican
Cobb, John	P.O. Box 388, Augusta, 59410	42	Lewis & Clark	Republican
Cocchiarella, Vicki	535 Livingston Ave, Missoula, 59801	59	Missoula	Democratic
Cody, Dorothy A.	P.O. Box 973, Wolf Point, 59201	20	Roosevelt	Democratic
Cohen, Ben	P.O. Box 1657, Whitefish, 59937	3	Flathead	Democratic
Connelly, Mary Ellen	3315 Whitefish Stage, Kallispell, 59901	8	Flathead	Democratic
Cromley, Brent R.	235 Park Hill Dr, Billings, 59101	94	Yellowstone	Democratic
Dally, Fred (Fritz)	1057 W Steel, Butte, 59701	69	Silver Bow	Democratic
Darko, Paula A.	P.O. Box 490, Libby, 59923	2	Lincoln	Democratic
Davis, Ervin	P.O. Box 63, Charlo, 59824	53	Lake	Democratic
DeBruycker, Jane	P.O. Box 7700, Dutton, 59433	11	Teton	Democratic
DeBruycker, Roger	SR Box 8, Floweree, 59440	13	Choteau	Republican
Dolezal, Edward J.	3236 Fifth Ave S, Great Falls, 59405	34	Cascade	Democratic
Dowell, Tim	46 West View Dr, Kallispell, 59901	5	Flathead	Democratic
Driscoll, Jerry L.	4344 Stone St, Billings, 59101	92	Yellowstone	Democratic
Elliott, Jim	100 Trout Creek Rd, Trout Creek, 59874	51	Sanders	Democratic
Ellis, Jr., Alvin A.	Rt 1, P.O. Box 4840, Red Lodge, 59068	84	Carbon	Republican
Ellison, Orval S.	HC 59 Box 106, McLeod, 59052	81	Park	Republican
Fagg, Russell	221 Ave E, Billings, 59101	89	Yellowstone	Republican
Feland, Gary	215 11th Ave N, Shelby, 59474	12	Toole	Republican

Forrester, Gary	2527 Gardiner St R 8, Billings, 59101	98 Yellowstone	Democratic
Foster, Mike	P.O. Box 126, Townsend, 59644	32 Broadwater	Republican
Galvin, Patrick G.	105 29th Ave NW, Great Falls, 59404	40 Cascade	Democratic
Gervais, Floyd (Bob)	P.O. Box 1810, Browning, 59417	9 Glacier	Democratic
Gilbert, Bob	P.O. Drawer 1228, Sidney, 59270	22 Richland	Republican
Gould, R. Budd	2205 S Fifth W, Missoula, 59801	61 Missoula	Republican
Grady, Edward J. (Ed)	Star Route, Canyon Creek, 59633	47 Lewis & Clark	Republican
Grinde, Larry Hal	RR 3, Lewistown, 59457	30 Fergus	Republican
Hansen, Stella Jean	841 Woodford St, Missoula, 59801	57 Missoula	Democratic
Hanson, H. S. (Sonny)	2237 Green Terrace Dr, Billings, 59102	87 Yellowstone	Republican
Hanson, Marian W.	P.O. Box 237, Ashland, 59003	100 Powder River	Republican
Harper, Hal	9 Comstock Rd, Helena, 59601	44 Lewis & Clark	Democratic
Harrington, Dan W.	1201 N Excelsior, Butte, 59701	68 Silver Bow	Democratic
Hayne, Harriet	P.O. Box 285, Dupuyer, 59432	10 Pondera	Republican
Hoffman, David	2720 Hwy 287, Sheridan, 59749	74 Madison	Republican
Johnson, John	124 Gresham, Glendive, 59330	23 Dawson	Democratic
Johnson, Royal C.	2915 Illinois, Billings, 59102	88 Yellowstone	Republican
Kadas, Mike	922 Taylor, Missoula, 59802	55 Missoula	Democratic
Kasten, Betty Lou	HC 77 Box A-14, Brockway, 59214	28 McCone	Republican
Keller, Vernon V.	HC 55 Box 355, Fishtail, 59028	83 Stillwater	Republican
Kilpatrick, Thomas E. (Tom)	814 First Ave Box 546, Laurel, 59044	85 Yellowstone	Democratic
Kimberley, Bervyl C. (Berv)	2511 Wyoming Ave, Billings, 59102	90 Yellowstone	Democratic
Knox, Dick	HCR Box 14, Winifred, 59489	29 Fergus	Republican
Larson, Don	P.O. Box 285, Seeley Lake, 59868	65 Missoula	Democratic
Lee, Thomas N.	P.O. Box 261, Bigfork, 59911	49 Lake	Republican
Madison, James	Jefferson City, 59638	75 Jefferson	Democratic
McCaffree, Ed	P.O. Box 1354, Forsyth, 59327	27 Rosebud	Democratic
McCarthy, Bea	1906 Ogden, Anaconda, 59711	66 Deer Lodge	Democratic
McCulloch, Scott T.	611 Tabriz Dr, Billings, 59105	96 Yellowstone	Democratic
Measure, Bruce	P.O. Box 918, Kalispell, 59903	6 Flathead	Democratic
Menahan, William T. (Red)	1304 W Fifth, Anaconda, 59711	67 Deer Lodge	Democratic
Mercer, John A.	P.O. Box 450, Polson, 59860	50 Lake	Republican
Messmore, Charlotte K.	14 20th St S, Great Falls, 59401	38 Cascade	Republican
Nelson, Linda J.	HC 51 Box 30, Medicine Lake, 59247	19 Sheridan	Democratic
Nelson, Thomas E.	1116 Moon Valley Rd, Billings, 59105	95 Yellowstone	Republican
Nisbet, Jerry	1401 Park Garden Rd, Great Falls, 59401	35 Cascade	Democratic
O'Keefe, Mark	531 Power St, Helena, 59601	45 Lewis & Clark	Democratic
Pavlovich, Robert J. (Bob)	1375 Harrison Ave, Butte, 59701	70 Silver Bow	Democratic
Peck, Ray	729 Fourth Ave, Havre, 59501	15 Hill	Democratic
Peterson, Mary Lou	234 Glen Lake Dr, Eureka, 59917	1 Lincoln	Republican
Phillips, John E.	1200 32nd St S #61, Great Falls, 59405	33 Cascade	Republican
Quillci, Joe	3040 Kossuth, Butte, 59701	71 Silver Bow	Democratic
Raney, Bob	212 S Sixth St, Livingston, 59047	82 Park	Democratic
Ream, Robert R. (Bob)	5950 Wildcat Rd, Missoula, 59802	54 Missoula	Democratic
Rice, Jim	1525 Williamsburg Rd, Helena, 59601	43 Lewis & Clark	Republican
Rice, Sheila	1501 4th Ave N, Great Falls, 59401	36 Cascade	Democratic
Russell, Angela	P.O. Box 333, Lodge Grass, 59050	99 Big Horn	Democratic
Schye, Ted	N Star Route, Glasgow, 59230	18 Valley	Democratic
Scott, John F.	P.O. Box 58, Ballantine, 59006	97 Yellowstone	Democratic
Simpkins, Richard D.	1221 Park Garden Rd, Great Falls, 59404	39 Cascade	Republican
Southworth, Jim	3843 Sandpiper Lane, Billings, 59102	86 Yellowstone	Democratic
Spring, Wilbur	2383 Penwell Bridge Rd, Belgrade, 59714	77 Gallatin	Republican
Squires, Carolyn M.	2111 S Tenth St W, Missoula, 59801	58 Missoula	Democratic
Stang, Barry (Spook)	142 Montana Hwy 135 S, St. Regis, 59866	52 Mineral	Democratic
Steppler, Don	P.O. Box 431, Brockton, 59213	21 Richland	Democratic
Stickney, Jessica	2206 Main St, Miles City, 59301	26 Custer	Democratic
Strizich, William S. (Bill)	736 27th Ave NE, Great Falls, 59404	41 Cascade	Democratic
Swygood, Charles	506 S Atlantic, Dillon, 59725	73 Beaverhead	Republican
Thoft, Bob	1520 S Burnt Fork Rd, Stevensville, 59870	63 Ravalli	Republican
Thomas, Fred	3566 Holy Lane, Stevensville, 59870	62 Ravalli	Republican
Toole, Howard	1625 McDonald, Missoula, 59801	60 Missoula	Democratic
Tunby, Rolph	Box 56, Plevna, 59344	24 Fallon	Republican
Wallin, Norm	2422 Springcreek Dr, Bozeman, 59715	78 Gallatin	Republican
Wanzenried, David E.	435 3rd Ave NE, Kalispell, 59901	7 Flathead	Democratic
Whalen, Timothy J.	101 Avenue C, Billings, 59101	93 Yellowstone	Democratic
Wyatt, Diana E.	300 31st St S, Great Falls, 59405	37 Cascade	Democratic
Zook, Tom	c/o Broadus Stage, Miles City, 59301	25 Custer	Republican

FIRST LEGISLATIVE DAY

Helena, Montana
January 7, 1991

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 52nd Legislature of the State of Montana was called to order by the Honorable Mike Cooney, Secretary of the State of Montana, who extended greetings to the members on behalf of the State of Montana and delivered the following address:

On Behalf of the State of Montana, I extend to you official greetings.

All too often we consider modern government incapable of making history. Somehow in our minds "history" is the exclusive property of legends like K. Ross Toole, Jeanette Rankin and Thomas Walsh. We forget that these heroes were just common people who made uncommon sacrifices to public service.

What placed these leaders into the history books was not the time in which they lived, but rather the human spirit they brought to the challenges before them. As Emerson said "What lies behind us and what lies before us are small matters compared to what lies within us."

What lies within us as Montanans is a pioneer spirit that makes anything possible. Our future as a state is filled with both unbridled hope and serious challenges. Your leadership as individual members and as a group can shape history. You have already made the sacrifice that goes along with being a member of this body, and I join all Montanans in thanking you for your dedication to public service.

For the future is now. As you convene here today you begin the process of making history. Partisan labels fade as we join first and foremost as Montanans working to protect and enhance our state. Without doubt there will be significant disagreement on issues of substance, but that is, after all, the very essence of our Democracy. Working together you can reach common ground, and together you can make a difference. I applaud your commitment, and I wish you God's speed during this historic time.

The Posting of the Colors by Captain Kevin Collins and members of the Montana National Guard and the Pledge of Allegiance to the Flag followed.

The Invocation was given by Reverend George Harper.

Chief Clerk Joyce Andrus called the roll by districts as follows: District No. 1, Mary Lou Peterson; District No. 2, Paula A. Darko; District No. 3, Ben Cohen; District No. 4, Wm. E. Boharski; District No. 5, Tim Dowell; District No. 6, Bruce Measure; District No. 7, David E. Wanzanried; District No. 8, Mary Ellen Connelly; District No. 9, Floyd (Bob) Gervais; District No. 10, Harriet Hayne; District No. 11, Jane DeBruycker; District No. 12, Gary Feland; District No. 13, Roger DeBruycker; District No. 14, Bob Bachini; District No. 15, Ray Peck; District No. 16, Francis Bardanouve; District No. 17, Ernest Bergsagel; District No. 18, Ted E. Schye; District No. 19, Linda J. Nelson; District No. 20, Dorothy A. Cody; District No. 21, Don Steppler; District No. 22, Bob Gilbert; District No. 23, John Johnson; District No. 24, Rolph Tunby; District No. 25, Tom Zook; District No. 26, Jessica Stickney; District No. 27, Ed McCaffree; District No. 28, Betty Lou Kasten; District

No. 29, Dick Knox; District No. 30, Larry Hal Grinde; District No. 31, Robert Clark; District No. 32, Mike Foster; District No. 33, John E. Phillips; District No. 34, Edward J. Dolezal; District No. 35, Jerry Nisbet; District No. 36, Sheila Rice; District No. 37, Diana Wyatt; District No. 38, Charlotte K. (Char) Messmore; District No. 39, Dick Simpkins; District No. 40, Patrick G. Galvin; District No. 41, William S. (Bill) Strizich; District No. 42, John Cobb; District 43, Jim Rice; District No. 44, Hal Harper; District No. 45, Mark O'Keefe; District No. 46, Jan Brown; District No. 47, Edward J. (Ed) Grady; District No. 48, Gary Beck; District No. 49, Thomas N. Lee; District No. 50, John A. Mercer; District No. 51, Jim Elliott; District No. 52, Barry "Spook" Stang; District No. 53, Ervin Davis; District No. 54, Bob Ream; District No. 55, Mike Kadas; District No. 56, Vivian M. Brooke; District No. 57, Stella Jean Hansen; District No. 58, Carolyn Squires; District No. 59, Vicki Cocchiarella; District No. 60, Howard Toole; District No. 61, R. Budd Gould; District No. 62, Fred Thomas; District No. 63, Bob Thoft; District No. 64, Steve Benedict; District No. 65, Don Larson; District No. 66, Bea McCarthy; District No. 67, William "Red" Menahan; District No. 68, Dan W. Harrington; District No. 69, Fred "Fritz" Daily; District No. 70, Robert J. (Bob) Pavlovich; District No. 71, Joe Quilici; District No. 72, Dave Brown; District No. 73, Chuck Swysgood; District No. 74, David Hoffman; District No. 75, James Madison; District No. 76, Joe Barnett; District No. 77, Wilbur Spring; District No. 78, Norm Wallin; District No. 79, Dorothy Bradley; District No. 80, Beverly Barnhart; District No. 81, Orval S. Ellison; District No. 82, Bob Raney; District No. 83, Vernon V. Keller; District No. 84, Alvin A. Ellis, Jr.; District No. 85, Thomas E. Kilpatrick; District No. 86, Jim Southworth; District No. 87, H. S. "Sonny" Hanson; District No. 88, Royal C. Johnson; District No. 89, Russell Fagg; District No. 90, Berv Kimberley; District No. 91, Arlene Becker; District No. 92, Jerry L. Driscoll; District No. 93, Timothy J. Whalen; District No. 94, Brent R. Cromley; District No. 95, Thomas E. Nelson; District No. 96, Scott T. McCulloch; District No. 97, John F. Scott; District No. 98, Gary Forrester; District No. 99, Angela Russell; District No. 100, Marian W. Hanson. All members were present.

Secretary of State Cooney then introduced Supreme Court Justice John Harrison who administered the following oath of office:

"I do solemnly swear that I will support, protect, and defend the Constitution of the United States and the Constitution of the State of Montana and that I will discharge the duties of my office as a member of the House of Representatives with fidelity, so help me God."

Secretary of State Cooney informed the members of the House of Representatives he had been advised that all oaths of office had been signed and received. These were presented to Justice Harrison for his acknowledgment and then filed in Secretary of State Cooney's office.

Secretary of State Cooney called for nominations for Speaker of the House of Representatives.

Representative Driscoll nominated Representative Hal Harper, District No. 44.

Representative Mercer moved Representative Harper be elected Speaker of the House of Representatives by acclamation. Motion carried.

Secretary of State Cooney declared Representative Hal Harper, District No. 44, duly elected as Speaker of the House of Representatives for the 52nd Legislature.

Representatives Driscoll and Mercer escorted the newly elected Speaker to the rostrum where he was formally introduced by Secretary of State Cooney and presented with the Speaker's gavel.

The Sergeant-at-Arms escorted Secretary of State Cooney, Justice Harrison and Reverend Harper from the House Chamber.

The Speaker delivered the following address:

OPENING SESSION REMARKS BY HOUSE SPEAKER HAL HARPER
52ND LEGISLATURE, JANUARY 7, 1991

I want to thank you for the trust you have placed in me today. John, I want to thank you, all the Republicans, and this entire House for confounding the critics on the first vote of the session.... They said we would never get a unanimous vote on anything this session but the feed bill.

For new ones among us, you should know that this Speaker election is a break in long-standing House tradition, where party lines were never before crossed by caucuses.

As an institution, this historic chamber has other time-honored traditions that are important to continue and observe. But we have developed some legislative traditions that should be broken:

- One tradition is partisan bickering, which closes ears and hardens hearts.
- Another is the tradition of putting off the tough decisions until the session ends.
- Another is that when the Governor is of a different party than the legislative houses, no real progress can be made.
- Yet another is that the Legislature only band-aids major problems.

I want to offer a suggestion that may help. The family is an institution that has survived through very difficult times for centuries. Why don't we try to approach our problems here in the Legislature as though we're a family?

When faced with outside challenges or threats, internal family differences melt away. The healthy members help support the weaker when they are sick or infirm. The children are protected at all costs, even if sacrifices have to be made. Most importantly, the family is a forum where members can speak their minds and express their feelings without being alienated.

Do you think it preposterous that Montana Democrats and Republicans act like a family? None of you has to think very long to remember healthy families in your districts, even husband and wife who split votes and even put up your sign and your opponents sign on different ends of the yard. With one exception four years ago, during an extended call of the House, we at least don't have to sleep in the same house. Like vote-splitting families, we may disagree on specifics, but we share basic values and goals.

We stand here looking through the door of a brand-new decade, the first Legislature to meet during Montana's second century of statehood. We know that we need to make decisions on a different level; decisions that pay attention to long-term impacts and that are in direct contrast to the crisis management of the past.

There has been talk recently in this state about such things as a "vision" for our state. One respected national economic development entity even blames part of our soft state economy on our lack of "vision" as to what kind of state we want to be economically.

Maybe it sounds presumptuous of me to even mention things like vision on the House floor. But it's hard to argue with success.

These days, leading corporations and champion athletes are practicing visualization as an essential element for success. They visualize themselves succeeding in their work or on the playing field or balance beam. Diversity is encouraged, never stifled as different ideas and approaches are woven into world records and fantastic corporate success stories.

In my niece's gymnastic training room there is a sign that says:
"Attitude, not aptitude, determines the altitude."

Let's try visualizing ourselves as members of the same family who really can solve our common problems. Every morning and every committee meeting we will say to ourselves: "We are creative problem solvers, who in spite of our differences, treat each other the way we want to be treated."

Then, brothers and sisters, we are ready to go to work! Thank you.

Representative Mercer addressed the House members.

Representative Darko moved the following individuals be nominated as officers of the House of Representatives for the 52nd Legislature:

Speaker Pro Tem - Representative Dave Brown
Majority Leader - Representative Jerry Driscoll
Chief Clerk - Joyce Andrus
Sergeant-at-Arms - Margaret Regan

Representative Mercer moved a unanimous ballot be cast for the previously named members. Motion carried.

Representative Driscoll moved the temporary joint rules of the Legislature be the Joint Rules of the House and Senate of the 51st Legislature with the following exceptions: 30-60 and 40-200. Motion carried.

Representative Driscoll moved that the temporary rules of the House be the House Rules of the 51st Legislature. Motion carried.

Representative Driscoll moved the Speaker appoint a committee of four members to notify the Governor that the House is now organized and ready for business. Motion carried.

Mr. Speaker appointed Representatives Bardanouve, Ellison, M. Hanson and Russell.

Representative Driscoll moved the Speaker appoint a committee of four members to notify the Senate that the House is now organized and ready to do business. Motion carried.

Mr. Speaker appointed Representatives Quilici, Cocchiarella, Peterson and Thoft.

Representative Driscoll moved the Speaker appoint a committee of four members to notify the Supreme Court by phone, followed by a letter, that the House is now organized and ready to do business. Motion carried.

Mr. Speaker appointed Representatives Bradley, Gilbert, Messmore and Whalen.

The committees were discharged from the chamber.

Mr. Speaker directed the House to stand at ease to await the report of the Select Committee from the Senate and the three Select Committees of the House.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Weeding, Vaughn and Harp was admitted and reported to the House that the Senate was organized and ready for any legislation the House might care to send it.

The committee appointed to notify the Governor that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Senate that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Supreme Court that the House is ready for business reported it had done so. The committee was thanked and discharged.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

- HB 1**, introduced by Bardanouve, referred to Committee on Appropriations
- HB 2**, introduced by Bardanouve (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations
- HB 3**, introduced by Bardanouve (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations
- HB 4**, introduced by Bardanouve (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations
- HB 5**, introduced by Bardanouve, Connelly (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations
- HB 6**, introduced by Connelly (by request of the Department of Natural Resources and Conservation), referred to Committee on Appropriations
- HB 7**, introduced by Connelly (by request of the Department of Natural Resources and Conservation), referred to Committee on Appropriations
- HB 8**, introduced by Connelly, referred to Committee on Appropriations
- HB 9**, introduced by Connelly (by request of the Montana Arts Council), referred to Committee on Appropriations
- HB 10**, introduced by Bardanouve (by request of the Office of Budget and Program Planning), referred to Committee on Appropriations
- HB 11**, introduced by Pavlovich, referred to Committee on State Administration
- HB 12**, introduced by Pavlovich, referred to Committee on State Administration
- HB 13**, introduced by Pavlovich, referred to Committee on Appropriations
- HB 14**, introduced by Peck (by request of the State Auditor), referred to Committee on Business and Economic Development
- HB 15**, introduced by Cody (by request of the Administrative Code Committee), referred to Committee on State Administration
- HB 16**, introduced by Driscoll, referred to Committee on State Administration
- HB 17**, introduced by Ream, referred to Committee on Fish and Game
- HB 18**, introduced by Driscoll, referred to Committee on Labor and Employment Relations
- HB 19**, introduced by Harper, referred to Committee on Business and Economic Development
- HB 20**, introduced by Pavlovich, referred to Committee on Appropriations
- HB 21**, introduced by Thomas, referred to Committee on Labor and Employment Relations
- HB 22**, introduced by Cody, referred to Committee on Business and Economic Development
- HB 23**, introduced by Cody, referred to Committee on Highways and Transportation
- HB 24**, introduced by Cody, referred to Committee on Judiciary
- HB 25**, introduced by Cody, referred to Committee on Judiciary
- HB 26**, introduced by Cody, referred to Committee on Judiciary
- HB 27**, introduced by Foster, referred to Committee on Education and Cultural Resources

- HB 28**, introduced by H. Hanson, referred to Committee on Labor and Employment Relations
- HB 29**, introduced by Kimberley, referred to Committee on Highways and Transportation
- HB 30**, introduced by Peck (by request of the Legislative Oversight Committee on School Funding Implementation), referred to Committee on Education and Cultural Resources
- HB 31**, introduced by R. DeBruycker, referred to Committee on Fish and Game
- HB 32**, introduced by Connelly, referred to Committee on Highways and Transportation
- HB 33**, introduced by O'Keefe, referred to Committee on Fish and Game
- HB 34**, introduced by Davis, referred to Committee on Taxation
- HB 35**, introduced by Connelly, referred to Committee on State Administration
- HB 36**, introduced by Cromley, referred to Committee on Judiciary
- HB 37**, introduced by Davis, referred to Committee on Highways and Transportation
- HB 38**, introduced by Grady (by request of the State Auditor), referred to Committee on State Administration
- HB 39**, introduced by Peck, referred to Committee on Local Government
- HB 40**, introduced by Fagg, referred to Committee on State Administration
- HB 41**, introduced by Fagg, referred to Committee on State Administration
- HB 42**, introduced by Cobb, referred to Committee on Judiciary
- HB 43**, introduced by Cobb, referred to Committee on Judiciary
- HB 44**, introduced by Cobb, referred to Committee on Labor and Employment Relations
- HB 45**, introduced by Peck (by request of the Legislative Finance Committee), referred to Committee on State Administration
- HB 46**, introduced by Kimberley, referred to Committee on Business and Economic Development
- HB 47**, introduced by Grady, referred to Committee on Highways and Transportation
- HB 48**, introduced by Grady, referred to Committee on Highways and Transportation
- HB 49**, introduced by Thomas, referred to Committee on Business and Economic Development
- HB 50**, introduced by L. Nelson, referred to Committee on Local Government
- HB 51**, introduced by Nisbet, referred to Committee on Appropriations
- HB 52**, introduced by Nisbet (by request of the Teachers' Retirement Board), referred to Committee on State Administration
- HB 53**, introduced by Nisbet (by request of the Department of Commerce), referred to Committee on State Administration
- HB 54**, introduced by L. Nelson, referred to Committee on Education and Cultural Resources
- HB 55**, introduced by Madison, referred to Committee on Local Government
- HB 56**, introduced by Grady, referred to Committee on State Administration
- HB 57**, introduced by Gervais, referred to Committee on Local Government
- HB 58**, introduced by Driscoll, referred to Committee on Taxation
- HB 59**, introduced by Harrington, referred to Committee on Highways and Transportation

HB 60, introduced by Harrington, referred to Committee on Labor and Employment Relations

HB 61, introduced by Stang, referred to Committee on Highways and Transportation

HB 62, introduced by Stang, referred to Committee on Highways and Transportation

HB 63, introduced by Stang (by request of the Public Service Commission), referred to Committee on Highways and Transportation

HB 64, introduced by Peck, referred to Committee on Local Government

HB 65, introduced by Whalen, referred to Committee on Highways and Transportation

HB 66, introduced by Barnett, referred to Committee on Agriculture, Livestock and Irrigation

HB 67, introduced by Darko (by request of the Legislative Oversight Committee on School Funding Implementation), referred to Committee on Appropriations

HB 68, introduced by Whalen, referred to Committee on Labor and Employment Relations

HB 69, introduced by Whalen, referred to Committee on Judiciary

HB 70, introduced by Strizich (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 71, introduced by Strizich (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 72, introduced by J. Rice (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 73, introduced by J. Rice (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 74, introduced by Strizich (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 75, introduced by J. Rice (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Appropriations

HB 76, introduced by Gould, referred to Committee on Business and Economic Development

HB 77, introduced by Quilici, referred to Committee on State Administration

HB 78, introduced by Cody, referred to Committee on State Administration

HB 79, introduced by L. Nelson, referred to Committee on State Administration

HB 80, introduced by Nisbet, referred to Committee on State Administration

HB 81, introduced by Cobb, referred to Committee on Fish and Game

HB 82, introduced by Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 83, introduced by Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 84, introduced by Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 85, introduced by Stang (by request of the Department of Highways), referred to Committee on Labor and Employment Relations

HB 86, introduced by Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 87, introduced by Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 88, introduced by Stang, referred to Committee on Fish and Game

HB 89, introduced by Grady (by request of the Department of Fish, Wildlife and Parks), referred to Committee on Fish and Game

HB 90, introduced by Cobb (by request of the Department of Agriculture), referred to Committee on Agriculture, Livestock and Irrigation

HB 91, introduced by Gilbert, referred to Committee on Fish and Game

HB 92, introduced by Dolezal (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 93, introduced by Cobb (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

HB 94, introduced by J. Brown (by request of the Code Commissioner), referred to Committee on State Administration

HB 95, introduced by Kimberley, referred to Committee on State Administration

HB 96, introduced by J. Brown, referred to Committee on Appropriations

HB 97, introduced by O'Keefe (by request of the Department of Commerce), referred to Committee on Business and Economic Development

HB 98, introduced by Dolezal, referred to Committee on Highways and Transportation

HB 99, introduced by Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 100, introduced by Russell (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 101, introduced by Russell (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 102, introduced by Russell (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Human Services and Aging

HB 103, introduced by Russell (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Human Services and Aging

HB 104, introduced by J. Johnson, referred to Committee on Education and Cultural Resources

HB 105, introduced by L. Nelson, referred to Committee on Education and Cultural Resources

HB 106, introduced by Harrington, referred to Committee on Local Government

HB 107, introduced by J. Johnson, referred to Committee on Fish and Game

HB 108, introduced by J. Rice (by request of the Governor), referred to Committee on Business and Economic Development

HB 109, introduced by Brooke, referred to Committee on Judiciary

HB 110, introduced by Gilbert, referred to Committee on Labor and Employment Relations

HB 111, introduced by Cody, referred to Committee on Human Services and Aging

HJR 1, introduced by Thomas, referred to Committee on State Administration

HJR 2, introduced by Cohen, referred to Committee on Fish and Game

HJR 3, introduced by J. Brown, referred to Committee on Human Services and Aging

HJR 4, introduced by O'Keefe, Cocchiarella, Brooke, referred to Committee on State Administration

HR 1, introduced by Driscoll (by request of the House Rules Committee), referred to Committee on Rules

SPECIAL ORDERS OF THE DAY

The following committee chairmen and members were appointed:

AGRICULTURE, LIVESTOCK AND IRRIGATION

Linda Nelson, Chairman (D)

Don Steppler, Vice-Chairman (D)

Bob Bachini (D)

Joe Barnett (R)

Gary Beck (D)

Jane DeBruycker (D)

Roger DeBruycker (R)

Jim Elliott (D)

Marian Hanson (R)

Harriet Hayne (R)

Vernon Keller (R)

Don Larson (D)

Jim Madison (D)

Ed McCaffree (D)

John Phillips (R)

John Scott (D)

APPROPRIATIONS

Francis Bardanouve, Chairman (D)

Ray Peck, Vice-Chairman (D)

Dorothy Bradley (D)

John Cobb (R)

Dorothy Cody (D)

Mary Ellen Connelly (D)

Ed Grady (R)

Larry Grinde (R)

John Johnson (D)

Mike Kadas (D)

Berv Kimberley (D)

Wm. "Red" Menahan (D)

Jerry Nisbet (D)

Mary Lou Peterson (R)

Joe Quilici (D)

Chuck Swysgood (R)

Bob Thoft (R)

Tom Zook (R)

APPROPRIATIONS/FINANCE AND CLAIMS JOINT SUBCOMMITTEES

Education and Cultural Resources

Representative Ray Peck (D), Chairman
Representative Larry Grinde (R)
Representative Mike Kadas (D)

Senator Greg Jergeson (D), Vice-Chairman
Senator Don Bianchi (D)
Senator H. W. "Swede" Hammond (R)

General Government and Highways

Representative Joe Quilici (D), Chairman
Representative Mary Lou Peterson (R)
Representative Tom Zook (R)

Senator Larry Stimatz (D), Vice-Chairman
Senator Larry Tveit (R)
Senator Harry Fritz (D)

Human Services and Aging

Representative Dorothy Bradley (D), Chairman
Representative John Cobb (R)
Representative John Johnson (D)

Senator Mignon Waterman (D), Vice-Chairman
Senator Tom Keating (R)
Senator Dennis Nathe (R)

Institutions and Cultural Education

Representative Wm. "Red" Menahan (D), Chairman
Representative Dorothy Cody (D)
Representative Chuck Swysgood (R)

Senator Dick Manning (D), Vice-Chairman
Senator Eleanor Vaughn (D)
Senator Gary Aklestad (R)
Senator Tom Beck (R)

Long-Range Planning

Representative Mary Ellen Connelly (D), Chairman
Representative Francis Bardanouve (D)
Representative Bob Thoft (R)

Senator Bob Hockett (D), Vice-Chairman
Senator Ethel Harding (R)
Senator J. D. Lynch (D)

Natural Resources

Representative Berv Kimberley (D), Chairman
Representative Ed Grady (R)
Representative Jerry Nisbet (D)

Senator Esther Bengtson (D), Vice-Chairman
Senator Cecil Weeding (D)
Senator Gerry Devlin (R)

BUSINESS & ECONOMIC DEVELOPMENT

Bob Bachini, Chairman (D)
Sheila Rice, Vice-Chairman (D)
Joe Barnett (R)
Steve Benedict (R)
Brent Cromley (D)
Tim Dowell (D)
Alvin Ellis, Jr. (R)
Stella Jean Hansen (D)
H.S. "Sonny" Hanson (R)
Tom Kilpatrick (D)
Dick Knox (R)
Don Larson (D)
Scott McCulloch (D)
Bob Pavlovich (D)
John Scott (D)
Don Steppler (D)
Rolph Tunby (R)
Norm Wallin (R)

EDUCATION & CULTURAL RESOURCES

Ted Schye, Chairman (D)
Ervin Davis, Vice-Chairman (D)
Steve Benedict (R)
Ernest Bergsagel (R)
Robert Clark (R)
Vicki Cocchiarella (D)
Fred "Fritz" Daily (D)
Alvin Ellis, Jr. (R)
Gary Feland (R)
Gary Forrester (D)
Floyd "Bob" Gervais (D)
H.S. "Sonny" Hanson (R)
Dan Harrington (D)
Tom Kilpatrick (D)
Bea McCarthy (D)
Scott McCulloch (D)
Richard Simpkins (R)
Barry "Spook" Stang (D)
Norm Wallin (R)
Diana Wyatt (D)

FISH AND GAME

Jim Elliott, Chairman (D)
John Johnson, Vice-Chairman (D)
Beverly Barnhart (D)
Fred "Fritz" Daily (D)
Roger DeBruycker (R)
Orval Ellison (R)
Gary Forrester (D)
Bob Gilbert (R)
Marian Hanson (R)
Vernon Keller (R)
Bea McCarthy (D)
Bruce Measure (D)
John Phillips (R)
Ted Schye (D)
John Scott (D)
Wilbur Spring (R)
Bill Strizich (D)

HIGHWAYS AND TRANSPORTATION

Barry "Spook" Stang, Chairman (D)
Floyd "Bob" Gervais, Vice-Chairman (D)
Ernest Bergsagel (R)
Robert Clark (R)
Jane DeBruycker (D)
Alvin Ellis, Jr. (R)
Gary Feland (R)
Mike Foster (R)
Patrick Galvin (D)
Dick Knox (R)
Don Larson (D)
Scott McCulloch (D)
Jim Madison (D)
Linda Nelson (D)
Don Steppler (D)
Howard Toole (D)
Rolph Tunby (R)

HUMAN SERVICES AND AGING

Angela Russell, Chairman (D)
Tim Whalen, Vice-Chairman (D)
Arlene Becker (D)
William Boharski (R)
Jan Brown (D)
Brent Cromley (D)
Tim Dowell (D)
Patrick Galvin (D)
Stella Jean Hansen (D)
Royal Johnson (R)
Betty Lou Kasten (R)

Thomas Lee (R)
Charlotte Messmore (R)
Jim Rice (R)
Sheila Rice (D)
Wilbur Spring (R)
Carolyn Squires (D)
Jessica Stickney (D)
Bill Strizich (D)
Rolph Tunby (R)

JUDICIARY

Bill Strizich, Chairman (D)
Vivian Brooke, Vice-Chairman (D)
Arlene Becker (D)
William Boharski (R)
Dave Brown (D)
Robert Clark (R)
Paula Darko (D)
Budd Gould (R)
Royal Johnson (R)
Vernon Keller (R)
Thomas Lee (R)
Bruce Measure (D)
Charlotte Messmore (R)
Linda Nelson (D)
Jim Rice (R)
Angela Russell (D)
Jessica Stickney (D)
Howard Toole (D)
Tim Whalen (D)
Diana Wyatt (D)

LABOR AND EMPLOYMENT RELATIONS

Carolyn Squires, Chairman (D)
Tom Kilpatrick, Vice-Chairman (D)
Gary Beck (D)
Steve Benedict (R)
Vicki Cocchiarella (D)
Ed Dolezal (D)
Jerry Driscoll (D)
Russell Fagg (R)
H.S. "Sonny" Hanson (R)
David Hoffman (R)
Royal Johnson (R)
Thomas Lee (R)
Mark O'Keefe (D)
Bob Pavlovich (D)
Jim Southworth (D)
Fred Thomas (R)
Dave Wanzenried (D)
Tim Whalen (D)

LEGISLATIVE ADMINISTRATION

Wm. "Red" Menahan, Chairman (D)
Jan Brown, Vice-Chairman (D)
Ed Grady (R)
Harriet Hayne (R)
Jerry Nisbet (D)
Mark O'Keefe (D)
John Phillips (R)
Bill Strizich (D)

LOCAL GOVERNMENT

Diana Wyatt, Chairman (D)
Jessica Stickney, Vice-Chairman (D)
Joe Barnett (R)
Arlene Becker (D)
Vivian Brooke (D)
Dave Brown (D)
Brent Cromley (D)
Paula Darko (D)
Tim Dowell (D)
Budd Gould (R)
Stella Jean Hansen (D)
Harriet Hayne (R)
Ed McCaffree (D)
Tom Nelson (R)
Jim Rice (R)
Sheila Rice (D)
Richard Simpkins (R)
Norm Wallin (R)

NATURAL RESOURCES

Bob Raney, Chairman (D)
Mark O'Keefe, Vice-Chairman (D)
Beverly Barnhart (D)
Vivian Brooke (D)
Ben Cohen (D)
Ed Dolezal (D)
Orval Ellison (R)
Russell Fagg (R)
Mike Foster (R)
Bob Gilbert (R)
David Hoffman (R)
Dick Knox (R)
Bruce Measure (D)
Tom Nelson (R)
Bob Ream (D)
Jim Southworth (D)
Howard Toole (D)
Dave Wanzenried (D)

RULES

Jerry Driscoll, Chairman (D)
Hal Harper, Vice-Chairman (D)
Dave Brown (D)
Paula Darko (D)
Larry Grinde (R)
Mike Kadas (D)
John Mercer (R)
Jim Rice (R)
Angela Russell (D)
Bill Strizich (D)
Chuck Swysgood (R)

STATE ADMINISTRATION

Jan Brown, Chairman (D)
Vicki Cocchiarella, Vice-Chairman (D)
Beverly Barnhart (D)
Gary Beck (D)
Ernest Bergsagel (R)
Fred "Fritz" Daily (D)
Ervin Davis (D)
Jane DeBruycker (D)
Roger DeBruycker (R)
Gary Feland (R)
Gary Forrester (D)
Patrick Galvin (D)
Harriet Hayne (R)
Betty Lou Kasten (R)
John Phillips (R)
Richard Simpkins (R)
Jim Southworth (D)
Wilbur Spring (R)
Carolyn Squires (D)

TAXATION

Dan Harrington, Chairman (D)
Bob Ream, Vice-Chairman (D)
Ben Cohen, Vice-Chairman (D)
Ed Dolezal (D)
Jim Elliott (D)
Orval Ellison (R)
Russell Fagg (R)
Mike Foster (R)
Bob Gilbert (R)
Marian Hanson (R)
David Hoffman (R)
Jim Madison (D)
Ed McCaffree (D)
Bea McCarthy (D)
Tom Nelson (R)

Mark O'Keefe (D)
Bob Raney (D)
Ted Schye (D)
Barry "Spook" Stang (D)
Fred Thomas (R)
Dave Wanzenried (D)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Tuesday, January 8, 1991. Motion carried.

House adjourned at 12:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
January 8, 1991

House Chambers
State Capitol

House convened at 1:35 p.m. Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Bergsagel, Clark, J. DeBruycker, Ellis, Feland, Foster, Galvin, Gervais, Knox, Larson, Madison, McCulloch, L. Nelson, Nisbet, Stang, Steppler, Toole, and Tunby, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanoue, Chairman): 1/8/91
HB 1, introduced bill, be amended as follows:

1. Page 1, line 17.
Strike: "\$637,707"
Insert: "\$641,207"

2. Page 1, line 22.
Following: "session."
Insert: "The appropriation to the legislative council includes \$3,500 to reimburse the department of administration for costs associated with making the state's financial adviser available for consultation with the legislature."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/8/91
HJR 4, introduced bill, be amended as follows:

1. Page 3, lines 5 and 6.
Following: "Crisis"
Strike: remainder of line 5 through "wisdom to" on line 6

2. Page 3, lines 9 and 10.
Following: "to" on line 9
Insert: "continue to"
Following: "together"
Strike: remainder of line 9 through "war" on line 10

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 112, introduced by Driscoll, referred to Committee on Labor and Employment Relations

HB 113, introduced by Lee, Van Valkenburg, referred to Committee on Judiciary

HOUSE JOURNAL
REGULAR SESSION**MOTIONS**

Representative Driscoll moved HB 35 be taken from the Committee on State Administration and rereferred to the Committee on Local Government. Motion carried.

Representative O'Keefe moved sponsors be added to HJR 4. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HJR 4: Cohen, Becker, Russell, Svrcek and J. Brown.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Wednesday, January 9, 1991. Motion carried.

House adjourned at 1:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
January 9, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative J. Rice. Pledge of Allegiance to the Flag.

Roll call. All members present except Swysgood, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Mr. Speaker appointed Representative Bob Raney to the Emergency Energy Policy Committee.

Representative John Mercer appointed Representative H.S. "Sonny" Hanson to the Energy Policy Committee.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):
Correctly printed: HB 1, HB 19.

1/9/91

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 114, introduced by D. Brown, Strizich, referred to Committee on Judiciary

HB 115, introduced by J. Johnson, Pavlovich, Stickney, Daily, Keller, Weeding, Kilpatrick, McCaffree, H.S. Hanson, Southworth, Kasten, Bruski, referred to Committee on Fish and Game

HB 116, introduced by Cody, Squires, Peterson, Gould, Vaughn, Williams, Thayer, referred to Committee on Education and Cultural Resources

HB 117, introduced by J. Brown, referred to Committee on Highways and Transportation

HB 118, introduced by J. Brown, referred to Committee on Human Services and Aging

HB 119, introduced by Ream, Halligan, referred to Committee on Local Government

HB 120, introduced by Hayne, Stepler, Keller, Ellison, Cobb, Zook, Swysgood, Peterson, Cody, M. Hanson, Grinde, referred to Committee on Judiciary

HB 121, introduced by Cobb, Wallin, Lee, Thomas, R. Johnson, R. DeBruycker, Hayne, Keller, Swysgood, Phillips, Driscoll, Grady, J. Rice, M. Hanson, Boharski, referred to Committee on Appropriations

HB 122, introduced by Russell, Strizich, J. Rice, referred to Committee on Local Government

MOTIONS

Representative Driscoll moved the rules be suspended to permit placement and consideration of HJR 4 on second reading this legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative D. Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 4 - Representative O'Keefe moved HJR 4, second reading copy, be amended as follows (Amendment #1):

1. Page 3, line 12.

Following: "sent"

Insert: "by the Secretary of State"

Amendment (#1) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Swysgood.

Total 1

Absent or not voting: None.

Total 0

Representative O'Keefe moved HJR 4, second reading copy, be further amended as follows (Amendment #2):

1. Page 2, line 19.

Following: "Nations"

Strike: "in condemning the actions of Iraq"

Amendment (#2) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Swysgood.

Total 1

Absent or not voting: None.

Total 0

Representative O'Keefe moved HJR 4, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 88

Noes: Barnett, Clark, Ellison, Feland, M. Hanson, Hayne, Kasten, Phillips, Steppler, Zook.

Total 10

Excused: Swysgood.

Total 1

Absent or not voting: Lee.

Total 1

HB 1 - Representative Bardanouve moved HB 1 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, R. DeBruycker, Foster, Phillips.

Total 4

Excused: Ellis, Swysgood.

Total 2

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman D. Brown moved the adoption of the committee report. Report adopted. (94-3)

MOTIONS

Representative Driscoll moved the rules be suspended to permit placement and consideration of HB 1 and HJR 4 on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, R. DeBruycker, Foster, Phillips.
Total 4

Excused: Ellis, Swysgood.
Total 2

Absent or not voting: Bergsagel, Keller.
Total 2

HJR 4 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 87

Noes: Barnett, Clark, Ellison, Feland, Gould, M. Hanson, Hayne, Kasten, Phillips, Steppler, Zook.
Total 11

Excused: Ellis, Swysgood.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Representative Larson moved he be recorded as voting yes on HJR 4, third reading. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/9/91
Correctly printed: HB 18.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 1/8/91

HB 19, introduced bill, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 1/9/91
HB 18, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
HB 94, introduced bill, be amended as follows:

1/9/91

1. Page 3, line 22.
Following: "publication"
Insert: ", as defined in 17 U.S.C. 101,"

And, as amended, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 11: Lynch, Harrington, Menahan, Daily, D. Brown, Gervais, Quilici, Phillips, Grady, Swysgood, Thoft, J. Johnson, Driscoll.

The following sponsors were added to HB 12: Lynch, Harrington, Menahan, Daily, D. Brown, Gervais, Quilici, Driscoll.

The following sponsors were added to HB 20: D. Brown, Gervais, Connelly, J. Brown, Daily, Quilici, Phillips, Grady, Swysgood, Hayne, Thoft, Menahan, J. Johnson, Driscoll.

The following sponsors were added to HB 47: Clark, Harper, Galvin, Schye.

The following sponsors were added to HB 89: Harding, Weeding, Quilici.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Jeanette Bras, Loneline
Cheri Brockbank, Helena
Krister Hett, Great Falls
Luke Jackson, Missoula
Kristi Jamison, Missoula
Jennifer Stitt, Helmville

Representative Driscoll moved the House adjourn until 1:30 p.m., Thursday, January 10, 1991. Motion carried.

House adjourned at 2:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
January 10, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker Pro Tempore in the Chair.
Invocation by Representative Brooke. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker Pro Tempore: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the first and second legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/10/91
Correctly printed: HB 94.
Correctly engrossed: HB 1.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):
1/9/91
HB 66, introduced bill, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman): 1/10/91
HB 17, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman): 1/10/91
HJR 3, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/10/91
HB 11, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 123, introduced by Hansen, Kimberley, Steppler, G. Beck, Cody, McCarthy, S. Rice, T. Nelson, J. Rice, referred to Committee on Local Government

HB 124, introduced by Gilbert, referred to Committee on Labor and Employment Relations

HB 125, introduced by Gervais, Gage, Svrcek (by request of the Committee on Indian Affairs), referred to Committee on Education and Cultural Resources

HB 126, introduced by Simpkins, referred to Committee on Natural Resources

HB 127, introduced by Simpkins, referred to Committee on Highways and Transportation

HB 128, introduced by Fagg, Darko, referred to Committee on Judiciary

HB 129, introduced by Fagg, Strizich, Darko, referred to Committee on Judiciary

HB 130, introduced by Fagg, referred to Committee on Judiciary

HB 131, introduced by Brooke, Gage, Ream, Barnhart, Cody, O'Keefe, Yellowtail, Darko, Wanzenried, J. Rice, Gervais, Svrcek, Grady, Doherty, Russell, referred to Committee on Judiciary

HB 132, introduced by D. Brown, referred to Committee on Judiciary

HB 133, introduced by Galvin, Bachini, referred to Committee on Highways and Transportation

HB 134, introduced by D. Brown, referred to Committee on Judiciary

HB 135, introduced by Lee, Harding, referred to Committee on Judiciary

HB 136, introduced by Southworth, referred to Committee on Taxation

HJR 5, introduced by Menahan, Driscoll (by request of the Joint Legislative Administration Committee), referred to Committee on Legislative Administration

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 18 - Representative Driscoll moved HB 18 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Benedict, Cobb, Hoffman, Peck, Simpkins, Swysgood.

Total 6

Excused: Cohen.

Total 1

Absent or not voting: None.

Total 0

HB 19 - Representative Harper moved HB 19 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (98-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 137, introduced by Harrington (by request of the Department of Revenue), referred to Committee on Taxation

MOTIONS

Representative Driscoll moved HB 53 be taken from the Committee on State Administration and rereferred to the Committee on Business and Economic Development. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 98: Strizich, Driscoll, Schye, Wyatt, Larson, Wanzenried, Pavlovich.

The following sponsors were added to HB 107: Grosfield, McCulloch, Bianchi, J. Rice.

HOUSE JOURNAL
REGULAR SESSION

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 10:45 a.m., Friday, January 11, 1991. Motion carried.

House adjourned at 1:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
January 11, 1991

House Chambers
State Capitol

House convened at 10:45 a.m. Mr. Speaker in the Chair.

Roll call. All members present except Ellison, Squires, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the third legislative day, find the same to be correct.

Menahan, Chairman

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 1/10/91

HJR 4, introduced by O'Keefe

Senate bill passed and transmitted to the House for concurrence: 1/10/91

SJR 5, introduced by B. Brown

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 138, introduced by Peterson, Gage, Nisbet, Strizich, Clark, Cody, referred to Committee on State Administration

HB 139, introduced by Raney, Yellowtail, Gilbert, Harp, Driscoll, Grady (by request of the Environmental Quality Council), referred to Committee on Natural Resources

HB 140, introduced by Raney, B. Brown, Nathe, Cocchiarella, Brooke, Jergeson, O'Keefe, T. Beck, Nisbet, Cobb, Grady, Menahan, referred to Committee on Labor and Employment Relations

HB 141, introduced by Harrington, Lynch, Quilici, Pavlovich, Brooke, Daily, McCarthy, Driscoll, Menahan, Stimatz, Jacobson, D. Brown, referred to Committee on Labor and Employment Relations

HB 142, introduced by Swysgood, Jacobson, referred to Committee on Education and Cultural Resources

HB 143, introduced by Whalen, referred to Committee on Local Government

HB 144, introduced by Foster, Koehnke, J. Rice, Bergsagel, Stepler, Bardanouve, Cody, G. Beck, Clark, H.S. Hanson, Scott, L. Nelson, Grinde, Schye, Kasten, referred to Committee on Highways and Transportation

HB 145, introduced by Grady, Raney, Gilbert, Driscoll, Yellowtail, T. Beck, Weeding (by request of the Environmental Quality Council), referred to Committee on Natural Resources

HB 146, introduced by Wanzenried, Bardanouve, Peck, Dowell, referred to Committee on Appropriations

The following Senate bill was introduced, read first time, and referred to committee:

SJR 5, introduced by B. Brown, Mazurek, Harper, Crippen, Eck, Jacobson, Stimatz, Grinde, Mercer, Lynch, Svrcek, Van Valkenburg, Keating, Yellowtail, Noble, Farrell, Harp, Blaylock, Waterman, Vaughn, Bengtson, Weeding, Doherty, T. Beck, Towe, Ream, Simpkins, Whalen, Wanzenried, J. Brown, Boharski, Lee, Davis, Gervais, Scott, Galvin, Peck, Stang, Strizich, Fritz, Jergeson, Hockett, Schye, Rea, Pinsoneault, Harding, Swift, Bachini, Kasten, Hayne, R. DeBruycker, Clark, Benedict, McCaffree, Knox, Elliott, Bianchi, Driscoll, Koehnke, Halligan, Burnett, Thayer, Kennedy, Williams, Franklin, Grosfield, Aklestad, Hager, Pipinich, Manning, referred to Committee on State Administration

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Regan escorted the Senate into the House chamber.

Mr. Speaker introduced President Mazurek and yielded the chair to him.

Senator Van Valkenburg moved the body resolve itself into a joint session for the purpose of receiving the State of the State Address from the Honorable Stan Stephens, Governor of the State of Montana. Motion carried.

Senator Van Valkenburg moved President Mazurek be authorized to appoint a committee of four to notify the Governor that we are in joint session and ready to receive his State of the State Address. Motion carried.

President Mazurek appointed Senators Jacobson and Farrell and Representatives Hansen and Wallin and discharged them to escort the Governor to the House chamber.

Sergeant-at-Arms Regan escorted members of the Governor's official party into the House chamber.

Captain Field and members of the Montana National Guard posted the colors.

Governor Stephens was escorted to the rostrum by the escort committee.

Father Eugene Peoples gave the Invocation. The Pledge of Allegiance to the Flag followed.

After being presented to the members of both houses by President Mazurek, Governor Stephens delivered the following address:

January 11, 1991

STATE OF THE STATE MESSAGE
PRESENTED TO THE
FIFTY-SECOND LEGISLATURE
AND TO THE PEOPLE OF MONTANA
BY

GOVERNOR STAN STEPHENS
Friday, January 11, 1991, 11:15 a.m.

Mr. President, Mr. Speaker, members of the Fifty-Second Legislative Session, Chief Justice Turnage and members of the Supreme Court, elected state officials, tribal leaders, and fellow Montanans.

Every two years at this approximate date in January, the Governor of Montana is required to address the good people of Montana through his "State of the State" message. I have participated in eight such presentations as a member of the legislature and two years ago I was accorded the honor of delivering this biennial report to the people.

It has been my observation that the events surrounding the State of the State follow a predictable pattern. Members of the Governor's political party usually express support with contents of the speech while some from the opposing party offer degrees of criticism with the views presented. Tradition has held that the State of the State is the Governor presenting his program to the legislature. I would, as I did in unveiling our state budget, like this message to be regarded as a message to the people of Montana as well as the legislature.

In putting together our programs for Montana over the next two years, we have kept in mind those who stand to gain or lose the most from the affairs of government, that being, the people of Montana. Those of you seated in this room today are the elected representatives of those viewing and listening to our activities this morning in their homes and communities throughout the state.

What is it the people want and expect from us? Over the course of the past two years, as I traveled throughout Montana, I have observed and listened. Today I am prepared to report on what I believe is the collective will of our fellow citizens.

First, an observation. We hear of the beltway mentality that prevails in our nation's capitol, the view that the judgment of the federal government is somehow superior to the knowledge and understanding of the people who populate the land beyond Washington, D.C. The vagaries of the beltway mentality are not exclusive to Washington. We can find such an attitude existing in many state capitols, even our own.

We must remind ourselves that our constituency is the people of Montana: all 56 counties...every city...every town...every community...every household that has entrusted us with representing them. We have a duty to provide responsible and just government based on the people's will. The public expects leadership and a commitment to work together in crafting solutions to the problems that affect the quality of life for all Montanans.

The public will support and understand the need for fair and competitive compensation for state employees. We will recommend such a plan to the legislature this session. The public will not support, nor should they, unrestricted government growth and expansion beyond that required to provide necessary services.

If, as some say, the appropriations process is "doing good with other people's money," then let us remember that a substantial number of the people whose money we appropriate are themselves facing difficult economic times. I refer especially to many in agriculture where depressed crop prices and drought continue to plague much of eastern Montana. A cutback in available timber supply and the failure of Congress to resolve the wilderness debate have reduced the number of timber industry jobs and has stagnated a major industry. When the timber and agriculture economies suffer, the negative effects filter into our Main Street small business community. Despite welcome economic growth in several areas, many hard working Montanans today are struggling to stay even as they endure a downturn in the industries that support their families.

It is with these Montanans in mind that we designed our budget with NO GENERAL TAX INCREASES. I trust the legislature will keep these folks in mind when faced with calls for more spending and more taxes as surely you will be.

While proper credit is not always given, much has been accomplished by those serving in this legislature and by your predecessors, by this administration as well as those executive bodies which have gone before. What has been accomplished since last we met? An impressive amount, much of it is the direct result of legislative authority.

We've instituted a very successful welfare reform program whose theme is that the job of able-bodied Montanans is to get a job and that low income families should have access to the educational training and vocational skills they need to break the cycle of poverty. Our general assistance welfare roles have been cut in half. The five million dollars saved has been redirected to make sure Montana's low income children and pregnant women receive the health care they need to get a good start in life. The legislature authorized this program in 1989. Our administration worked with over one hundred Montanans to put the pieces together and we are extremely proud of the outcome to date. It's but one example of fulfilling the wish of Montanans by WORKING TOGETHER for the common good.

Prior to the last session, and this administration, the Montana Developmental Center at Boulder was decertified for federal payments because of inadequate services and facilities for its developmentally disabled residents. Working through our human service agencies and with Montana's communities the Center at Boulder has been recertified. As part of our service delivery system reform, we've opened up new community-based facilities in Missoula, Billings, Livingston, Helena and Hamilton. Our program for the developmentally disabled has gone from federal sanctions to praise from Montanans and those outside the state. We've improved services while at the same time adding to the economic base of Montana communities. We'll present the legislature the next step in this program.

Montanans have demanded action, not studies, in the environmental arena. Action is what our administration has worked to deliver. We have avoided protracted litigation wherever possible and instead applied our resources toward cleanup and protection. This has been successful in Livingston where extensive cleanup is underway to address a century of rail yard pollution. Likewise, the Clark Fork River Basin and Superfund sites in western Montana have work underway, not simply studies. In addition to these programs, we will present an extensive list of reclamation projects to be funded by the interest from our RIT funds. We're proposing the investment of about \$4 million in mineral tax monies to help finance over \$20 million worth of reclamation and resource development work. These are programs which will improve the quality of life for the Montanans we represent. I encourage your careful study and support for this program.

In 1989, Montana saw a record tourist year with an 11% increase in non-resident travelers in our state. This past year was even bigger: 1990 experienced another 12% jump in tourist numbers, and the amount of money spent by these visitors grew to almost \$700 million. This is happening by design, and it's concrete evidence of the dividends we're receiving from our modest investment in Montana's Travel Promotion Program. Almost thirty cents of every tourist dollar is spent on Main Street Montana. Let's keep this Montana industry growing and strengthening our economy.

Highway construction, always a priority item for Montanans, saw one of its biggest years in history in 1990, and the prospect for the next two years is even better. Over the last year we've begun work to improve over 800 miles of Montana highways. Ninety percent of these projects involve Montana contractors and Montana workers.

A historic fishing and hunting agreement between the State and the Confederated Salish and Kootenai Tribes was signed this Fall. It's an agreement developed after extensive discussions not only with the tribe, but non-tribal members who are affected by its workings. The agreement is a positive sign and one we hope will be followed by important water and gaming regulation agreements with the Confederated Tribes and Montana's other Indian governments this year and in the years to follow.

Under authorization from the 1989 legislature, we've pursued privatization of programs which can be handled by the private sector at less cost to the Montana taxpayer with no loss of service. We've documented the savings and reduced the size of state government by moving our custodial services, data processing, computer billing and security services into private hands. In our budget, we will request authorization from the legislature to remove Montana from the retail sale of liquor while retaining wholesale market control with no loss of tax revenue coming into the state. The retail sale of liquor is best handled by the private sector and is not a needed and necessary service of state government.

Human services, the environment, economic development and changes in the way state government operates: these are just some examples of what Montanans have asked for and what has taken place during the past two years. Turning from the past to our plans for the future, let me talk about

our agenda for Montana. It's a full plate and one which will improve our state and the lives of her people. Much of this agenda has been developed with the help of devoted Montana citizens who have volunteered their time and effort to make our state a better place to live, work and play.

The Big Sky Dividend, our major economic development initiative, will create up to 2,000 new jobs annually for ten years through a partnership of state and local government working to rebuild Montana's infrastructure. It requires no new taxes and no additional state funding, yet it can create a \$600 million investment pool for rebuilding Montana's communities to better compete in the global marketplace. The Big Sky Dividend invests \$20 million of new coal tax proceeds each year of the coming decade into projects upgrading our state's water and sewer systems, transportation facilities, educational equipment, environmental cleanup and other public needs. The money will be used to attract available federal and private funds in matching amounts for every dollar Montana provides. It's a responsible "pay as you go" program which has widespread support among the public we serve. I invite lawmakers to reflect that popular support through passage of this legislation.

Montana's small business operations make up 82% of the economic enterprise in this state, yet this group has great difficulty financing start-up and expansion activities. We advocate correcting that with the Microbusiness Development Act. Using a one-time appropriation from the current Instate Investment Program, we will provide businesses with regular interest loans of up to \$20,000. The loan payback will finance a revolving small business loan fund. State money will be combined with management training and oversight to ensure the success of these business ventures.

The success of our farms and ranches is important not just in our rural areas but to the well-being of Montanans across the state. Agriculture continues to be the foundation of Montana's economy. Over the past two years, livestock prices have improved significantly in some areas, but our farmers remain heavily dependent on the federal farm program because of drought and low crop prices. It's imperative that we do more to add value to the crops we grow. That's the focus of our agriculture efforts in various state agencies, efforts in which we can show some success. We assisted in the development of the Waxy Hulled Barley processing plant in Dillon, potato chip production in Belgrade, dried flowers prepared for international sale in Plentywood, sun-dried cherries in Kalispell, paddlefish eggs for caviar in Glendive and efforts to reopen the Midland Packing Plant in Billings. These are examples of what can be done, and they're incentive for us to do more.

We will ask for the legislature's stamp of approval on two major agency reorganizations.

- First, we are proposing to better serve the transportation needs of Montanans through the creation of a Department of Transportation. This involves the consolidation of state government's transportation services under one administrative

roof. It means more efficient planning, operation and service as well as reduced costs.

- Second, we have developed a plan to consolidate Montana's permitting agencies involved in the development of our natural resources and protection of Montana's water, air and soil into one department while better focusing our efforts in health services and the management of state lands.

Both of these reorganizations have been developed with the assistance and approval of the public these agencies serve. They are designed to encourage responsible development, provide more environmental protection, afford more prompt and reliable service to our customers, and eliminate agency duplication.

We will ask you to join us in addressing the needs of 141,000 Montanans who do not have health insurance. Our "Health Care for Montanans" program addresses this deficiency through private sector incentives for health insurance coverage, strengthened public programs to improve access to health care for low income children and enhanced services for Montana's elderly.

Montana's postsecondary education system is at a crossroads. Our Education Commission for the Nineties and Beyond has provided us with a blueprint for moving this system along the path of quality. We've endorsed it's recommendations and worked within our resources to bring them about. The recommendations are not only about money, but administrative flexibility through lump sum budgeting, smooth transference of credits, continued support for the state's education system and improved coordination of Montana's K-12, postsecondary and life long learning systems.

With legislative assistance, we increased the University System's funding by \$21 million in 1989. We are recommending another 9.6% increase, or about \$17 million, for the coming biennium. Eight million of that amount represents new dollars over and above inflationary factors, pay plan costs and enrollment increases. These funds will be used to meet Regent-identified needs and priorities.

In addition to greater programmatic support, we are recommending \$53 million in capital improvements for our university and college campuses through the state's Long-Range Building Program. This funding will construct a number of top priority facilities for the University System including a Business Administration Building at the University of Montana, a Physical Science/Engineering Complex at Montana State University, and improvements to Apsaruke Hall at Eastern Montana College.

For our elementary and high schools, we have increased state support by about \$105 million as directed by our new school funding equalization formula. We are fully funding the program and we recommend that the new funding system have an opportunity to actually work before any major adjustments are made. Indications are that the so-called under-funded schools are closing the gap between their higher spending counterparts. We

are meeting the mandate for maintaining quality education through funding equalization.

In addition to the Foundation Program, we heartily endorse continued legislative support of the state's Educational Telecommunications Network Project. This project, tying Montana's schools and communities together through telecommunications, will begin to materialize this year because of a \$300,000 appropriation from the 1989 Legislature and a generous \$150,000 donation from TCI Cablevision. The cable firm has offered another donation of like amount if continued legislative support is given. I'm confident you'll recognize the benefit of this investment and join us in continuing to develop this resource which allows us to take great strides forward in improving access to educational opportunities for all Montana children.

Opportunity is the theme of our Jobs for Montana's Graduates Program as well. Through Jobs for Montana's Graduates we have been working with at-risk high school seniors to ensure that they stay in school and receive the educational, vocational and personal skills needed to be productive Montana citizens. The program is working as a pilot project now in Butte and Helena. I ask your support in helping us to expand the service to other Montana students in the years to come.

As with higher education, Montana's corrections program is at the crossroads. The Montana State Prison was built for 700-some inmates; at this time over eleven hundred prisoners are incarcerated there. By 1995, our male prison population will be up to fifteen hundred. This is a serious situation, and we must address it. For the nondangerous offenders, we propose the expansion of pre-release centers and alternative correction programs such as house arrest and other community-based correction activities. While new bricks and mortar are not my desired solution, it's obvious that Montana State Prison needs more cells. We recommend the construction of two new maximum security units and support facilities to be funded by the Long-Range Building program. The situation at Deer Lodge is critical. Only through the professional performance of the warden and his staff have we been able to avoid a crisis. I commend their work and I invite you to join me in providing the assistance they need.

As you're aware, we are working with Montana communities to develop a program for a new Women's Prison. We have had good response and the Department of Institutions will be reporting on the progress of our endeavors during this legislative session. Our program offers more opportunities to rehabilitate and improve the lives of these women than we are able to do now. It's success will be a bonus for Montana.

Let me move now to another topic which is vitally important to the economic well-being of this state: our natural resources. During the last year, we brought industry, conservationists, and regulators together to improve the state's mine permitting process. It was an educational process for all parties involved, and you will see the fruits of their labor during this session. Our program streamlines the permitting process, increases public involvement, enhances environmental protection and is worthy of your

support. It's been endorsed by those involved in its development as well as those affected by its recommendations.

In a similar fashion, we've developed a State Water Plan for the next two years which emphasizes improved water storage and repairs of Montana's high hazard dams as well as the development of a statewide drought management program. Since taking office, we've worked to be proactive on water issues and our State Water Plan exemplifies these efforts. Our number one water priority in Montana is improvement at the Tongue River Dam in southeastern Montana. The state's Congressional Delegation is working closely with us to move this project forward. Additionally, we will request that lawmakers fund ten Montana water resource improvement projects. The Water Development Advisory Council, our public oversight committee, has endorsed these projects, and we believe they offer great benefits for Montana's water users.

Montana must play a meaningful role in encouraging the wise use of energy and the responsible development of new energy sources. The current unrest in the Persian Gulf has amplified the urgency for action in this area.

Speaking of the Persian Gulf and the threat of war in that troubled region, I want to recognize the valiant Montana men and women who have been called to serve in Operation Desert Shield.

It has been my honor to bid farewell to most of them as they have departed and today we have with us two members of the Montana National Guard. One who has just returned from active duty in Saudi Arabia and one who leaves for assignment in the Gulf tomorrow. These soldiers are fitting representatives of Montanans serving in the Armed Forces to whom we extend our gratitude and our deep sense of pride for their service to our state and nation.

May I present these honored guests.

- Having just returned from the Persian Gulf, Major Arthur Heffelfinger, a helicopter test pilot.
- Specialist David Sommers, who will tomorrow depart for the Gulf, and his wife, Delma, and son, Darrin.

Thank you very much for being here.

Returning to the need for a new state energy policy, Montana has been a leader in energy conservation. We're continuing that role with the state's paper recycling program initiated by this administration. Montana has lagged in energy production, not because we lack energy resources but because state policies have discouraged it. We need to turn that around for the benefit of our state and the nation. We will be seeking legislation that makes production of Montana's oil and natural gas more competitive with surrounding states. Our program is aimed at creating an energy policy package balanced between both production and conservation.

A number of recommendations we have for the state require very difficult decisions. Our administration and many Montanans have struggled with these issues. As is our responsibility and duty, we have reached conclusions based on thorough research and evaluation of the facts at hand. We are prepared to demonstrate that our plans are sound and that these difficult choices will lead to improvements in services and fair treatment for Montanans.

Our recommendation to close the Galen facility and transfer its current services to other state institutions and private services is one of these difficult choices. To keep Galen open only serves the status quo and does not address the service needs of the nursing home patients there, the acute medical care patients and the Montanans who are in need of treatment for chemical and alcohol abuse problems. It's an under utilized, over-aged facility which is not serving Montanans in the best manner possible. We can do better, and our reorganization plan allows us to do that.

Pension reform is an issue carried over from the 1989 Legislature. Driven by a U.S. Supreme Court decision, Montana and a host of other states were directed, very specifically, to change the way they were handling pensions. We will present you with a reform program responding to this court mandate. It's a program based on fairness and ability to pay, not just for federal and state pensioners, but private pensioners and retired Montanans with no pensions at all. It's an important fairness issue and an equally important revenue issue. We've addressed both on the basis of equality for all.

The principal document of any legislative session is of course the executive budget. The budget we have presented to the 52nd Legislature funds the services of government, responds to several increased needs, and, as required by the Constitution, the budget balances expenditures with available revenues. This is accomplished with NO GENERAL INCREASE in either property, income or selective sales taxes. We eliminate the current 5% income tax surcharge. The budget still allows us to move forward with the full agenda I've summarized for you this morning. It's a budget which presents new programs to improve state and local services, and to create jobs and economic growth while funding needed and necessary programs for our citizens. That's exactly what Montanans have asked for.

Despite the activity funded by our budget, it will generate some discontent among special interest groups and those who requested increases beyond our ability to fund them. I would point out that DOUBLING the taxes paid by EVERY Montanan still would not guarantee complete satisfaction among recipients of public funds.

We have been ingrained all our lives with the desire to say "YES" when the facts often call for us to say "NO." We have a duty to do what's right and that means risking being unpopular at times. This, in my judgment, is a small price to pay in discharging our responsibilities.

Glancing back over the decade of the 80s, General Fund appropriations were pegged at \$503 million in the 1981 biennium. They advanced to \$681 million in 1983, up to \$758 million in 1987, and to \$892 million in the

current biennium. That's a 78% increase over the decade. The budget for the coming biennium, 1992-93, decreases spending in all areas except human services and education. Federal and court mandates plus the strong commitment of Montanans in these areas fuel the increases. Again, let me emphasize: together this legislature and our administration can responsibly fund state services...from education to economic development and improved human services...WITHOUT A GENERAL INCREASE IN TAXES.

The basic theme of the message I have received from the people we serve--Montanans--is that the private sector is in a period of financial restraint. Our citizens are insisting that proposals on how government might INCREASE spending give way to efforts by government to curb its historical record for more programs and more government. They are asking us to develop strategies to maintain needed services while implementing procedures to REDUCE expenditures wherever possible.

People in our state pay taxes willingly. We have the most successful voluntary tax system in the world. But until public confidence is restored in both the taxing and spending policies of government and until a bond of trust is established based upon wise and prudent stewardship by government and responsiveness to the public will...until that time, any tax reform proposal placed before the voters of Montana is destined to be defeated. An important link in the chain of mutual trust could be achieved in this session with the passage of a Constitutional Amendment calling for a spending limitation on future budgets. The administration supports this type of action.

Certainly, I am aware of the dramatic change that has taken place in this body since the last session. For the first time in many years, both houses of the legislature are governed by large majorities of the governor's loyal opposition. This gives the people of Montana a rare opportunity...an opportunity to compare the ideas represented by our occasionally differing philosophies and points of view.

In the time allotted to me this morning, I have presented an overview of a comprehensive program of our administration. We have addressed major projects, outlined the basis for recommendations and provided revenue and expenditure levels to fund these proposals. We have balanced the budget and left an adequate fund balance on which to build for the next two years.

The new legislative majority has the authority and the opportunity to present an agenda of its own. In those areas where our agenda do not agree, we will work together to find solutions. I would simply ask that the majority make clear its vision for the state and the people of Montana, as I have done here this morning. May whatever criticism that is offered to administration plans be accompanied by thoughtful ideas and alternative solutions.

We are, of course, a three branch system of government. I want to recognize and commend the workings of our state judiciary and the Montana Supreme Court members in attendance here today. You have faced the challenges of increasing caseloads in a timely and deliberate manner, and, in general, your decisions have reflected the public will of Montanans. I am

encouraged by the court's efforts in strict enforcement of ethics, standards for admission to the bar and practice, and pursuing alternative dispute resolutions. These efforts serve Montana well.

In conclusion, the directors of our state agencies, my staff and I have devoted considerable thought as to how we might best communicate our message to the people of Montana and members of the legislature. The biennial State of the State message itself presents but a general synopsis of where we have been, where we are and where we are going. Historically, it is not a document which has proven to be in great demand. In order to communicate as thoroughly as possible and to provide a detailed and graphic accompaniment to the State of the State message, my remarks this morning will be but an insert within a 20-page brochure that elaborates in greater detail the substance of our program over the past two years and our recommendations for the 1992-93 biennium. This brochure, with a regal elk displayed on its cover, will be distributed to public libraries and organizations around the state in order to better communicate the accomplishments of the past and the plans for the future.

I very much appreciate the opportunity to address this assembly and the people of Montana on the issues and concerns of importance to us all. I extend to each member of the legislature my hand of friendship and cooperation for the endeavors you are about to undertake. Together we can...and together I trust we will...make the 1991 session a gathering which will be remembered as being "THE MONTANA SESSION" in recognition of the achievements we were able to make to assure a better Montana for us all.

Thank you.

Father Eugene Peoples gave the Benediction, and Governor Stephens was escorted from the House chamber by the escort committee.

Sergeants-at-Arms Regan and Carlson escorted the distinguished guests from the House chamber.

Senator Van Valkenburg moved the joint session of the 52nd Legislature be adjourned. Motion carried.

Members of the Senate retired from the House chamber.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 1:30 p.m. Motion carried.

House recessed at 12:00 noon.

House reconvened at 1:30 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/11/91
Correctly printed: HB 66, HJR 3, HR 1.
Correctly engrossed: HB 18, HB 19.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 1/10/91

HB 14, introduced bill, be amended as follows:

1. Page 8, line 16.

Strike: "."

Insert: "; and"

2. Page 8, line 19.

Following: "in"

Strike: "subsections"

Insert: "subsection"

Following: "(19)(b)"

Strike: "(i) and (19)(b)(ii)"

And, as amended, do pass. Report adopted.

HB 97, introduced bill, do pass. Report adopted. 1/11/91

JUDICIARY (Strizich, Chairman): 1/10/91

HB 42, introduced bill, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 1/10/91

HB 85, introduced bill, do pass. Report adopted.

RULES (Driscoll, Chairman): 1/10/91

HR 1, introduced bill, be amended as follows:

1. Page 14, line 8.

Strike: "(1)"

2. Page 14, lines 9 and 10.

Strike: "not previously adopted on second reading in the House"

3. Page 14, lines 13 through 17.

Strike: subsection (2) in its entirety

4. Page 15, lines 1 and 2.

Strike: "on a bill not previously adopted on second reading"

5. Page 15, lines 3 through 8.

Following: "voting." on line 3

Strike: the remainder of line 3 through "voting." on line 8

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 147, introduced by Cohen, referred to Committee on Taxation

HB 148, introduced by Toole, Halligan, Russell, J. Rice, Strizich (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

MOTIONS

Representative Driscoll moved the rules be suspended to permit placement and consideration of Senate amendments to HJR 4 and SJR 5 on second and third readings this legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 94 - Representative J. Brown moved HB 94 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, Ellison, Squires.

Total 3

Absent or not voting: None.

Total 0

HJR 4 - Representative O'Keefe moved Senate amendments to HJR 4 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Barnett, Hayne, Peck, Whalen.
Total 4

Excused: Brooke, Ellison, Squires.
Total 3

Absent or not voting: S. Rice.
Total 1

SJR 5 - Representative O'Keefe moved SJR 5 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Brooke, Ellison, Squires.
Total 3

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (97-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 4, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Barnett, Hayne, Peck.
Total 3

Excused: Brooke, Ellison, Squires.
Total 3

Absent or not voting: None.
Total 0

SJR 5 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Brooke, Ellison, Squires.
Total 3

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/11/91
Correctly printed: HB 11, HB 17.

JUDICIARY (Strizich, Chairman): 1/11/91
HB 43, introduced bill, be amended as follows:

1. Title, lines 4 through 7.

Following: "AN ACT"

Strike: lines 4 through 7 in their entirety

Insert: "TO CLARIFY THE EXTENT OF A GRANDPARENT'S RIGHT TO VISIT
GRANDCHILDREN; TO PROVIDE FOR JOINDER OF THE
DEPARTMENT OF FAMILY SERVICES IN A PROCEEDING TO
ESTABLISH VISITATION RIGHTS; AND AMENDING SECTION 40-9-
102, MCA."

2. Pages 1 and 2.

Strike: everything following the enacting clause

Insert: "Section 1. Section 40-9-102, MCA, is amended to read:

"40-9-102. Grandparent visitation rights. (1) Except as provided in subsection (5) (6), the district court may grant to a grandparent of a child reasonable visitation rights, including but not limited to visitation rights regarding a child who is the subject of, or as to whom a disposition has been made during, an administrative or court proceeding under Title 41 or this title.

(2) Visitation rights granted under this section may be granted only upon a finding by the court, after a hearing, that the visitation would be in the best interest of the child.

(3) If the department of family services has become involved with the child under any law of this state, it must be joined as a party under Rule 19(a), Montana Rules of Civil Procedure.

(3) (4) No person may petition the court under this section more often than once every 2 years unless there has been a significant change in the circumstances of the child; the child's parent, guardian, or custodian; or the child's grandparent.

(4) (5) The court may appoint an attorney to represent the interests of a child with respect to visitation when such interests are not adequately represented by the parties to the proceeding.

(5) (6) This section does not apply if the child has been adopted by a person other than a stepparent or a grandparent. Visitation rights granted under this section terminate upon the

adoption of the child by a person other than a stepparent or a grandparent.""

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/11/91

HB 15, introduced bill, do pass and be placed on consent calendar. Report adopted.

HB 78, introduced bill, do pass and be placed on consent calendar. Report adopted.

SJR 5, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, January 12, 1991. Motion carried.

House adjourned at 2:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
January 12, 1991

House Chambers
State Capitol

House convened at 8:05 a.m. Mr. Speaker in the Chair. Invocation by Representative Kimberley. Pledge of Allegiance to the Flag.

Roll call. All members present except Benedict, Cohen, Daily, Ellison, Lee, Ream, Squires, Thomas, Toole, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/12/91
Correctly engrossed: HB 15, HB 78, HB 94.

JUDICIARY (Strizich, Chairman): 1/11/91
HB 69, introduced bill, be amended as follows:

1. Page 2, line 4.

Following: "cases."

Insert: "If a city judge is not an attorney and his office is abolished because a municipal court is established, the ordinance must provide that the time when the establishment of the municipal court takes effect is the date on which the municipal court judge elected at the next election held under 3-6-201 begins his term of office."

2. Page 2, line 10.

Strike: "A"

Insert: "Except as provided in 3-6-101(2), a"

3. Page 2, line 22.

Following: "13-1-104"

Insert: "(2)"

4. Page 3, line 1.

Strike: "All"

Insert: "Except as provided in subsection (2), all"

And, as amended, do pass. Report adopted.

HB 113, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "another crime"

Insert: "a forcible felony"

2. Page 2, line 3.

Following: "threat of"

Insert: "significant or substantial"

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 149, introduced by Forrester, T. Nelson, Ream, M. Hanson, referred to Committee on Fish and Game

HB 150, introduced by Whalen, Gervais, Kimberley, Strizich, referred to Committee on Highways and Transportation

HB 151, introduced by Stang, Svrcek, Benedict, Elliott, Vaughn, Peterson, referred to Committee on Taxation

HB 152, introduced by Harrington, Lynch, D. Brown, Driscoll, Ream, Bachini, Galvin, Daily, Pavlovich, Kilpatrick, Davis, Schye, Quilici, Menahan, McCarthy, Wyatt, referred to Committee on Labor and Employment Relations

HB 153, introduced by Ream, B. Brown (by request of the Department of Revenue), referred to Committee on Taxation

HB 154, introduced by Forrester, Kilpatrick, Blaylock, referred to Committee on Education and Cultural Resources

HB 155, introduced by Strizich, Gage, referred to Committee on Local Government

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 18 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Thoft, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Cobb, Hoffman, Peck, Simpkins, Swysgood.

Total 5

Excused: Benedict, Cohen, Daily, Ellison, Lee, Ream, Squires, Thomas, Toole.

Total 9

Absent or not voting: H. S. Hanson.

Total 1

HB 19 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Benedict, Cohen, Daily, Darko, Ellison, Lee, Ream, Squires, Thomas, Toole.
Total 10

Absent or not voting: R. Johnson.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Monday, January 14, 1991. Motion carried.

House adjourned at 8:20 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 14, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend Bob Holmes. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/14/91
Correctly printed: HB 14, HB 42, HB 43, HB 69, HB 85, HB 97, HB 113.
Correctly enrolled: HJR 4. 1/12/91
Examined by the sponsor and found to be correct: 1/12/91
HJR 4 - O'Keefe.
Signed by the Speaker at 11:00 a.m., 1/12/91: SJR 5.
Signed by the Speaker at 12:00 noon, 1/12/91: HJR 4.
Delivered to the Secretary of State at 12:05 p.m., 1/12/91: HJR 4.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:
1/12/91

SB 5, introduced by B. Brown
SB 9, introduced by Devlin
SB 12, introduced by Lynch
SJR 4, introduced by Van Valkenburg

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 156, introduced by Toole (by request of the Public Service Commission), referred to Committee on Highways and Transportation
HB 157, introduced by Stickney, Devlin, Cody, Becker, Zook, Weeding, Brooke, J. Johnson, referred to Committee on Business and Economic Development
HB 158, introduced by Wanzenried, Squires, Dowell, Dolezal, Foster, O'Keefe, J. Brown, Connelly (by request of the Public Employees' Retirement Board), referred to Committee on State Administration
HB 159, introduced by Connelly, Harp, B. Brown, Cocchiarella, Fritz, referred to Committee on Judiciary
HB 160, introduced by Gilbert, Raney, T. Beck, Grady, Driscoll, Yellowtail, Weeding (by request of the Environmental Quality Council), referred to Committee on Natural Resources
HB 161, introduced by Gilbert, Raney, T. Beck, Grady, Yellowtail, Weeding (by request of the Environmental Quality Council), referred to Committee on Natural Resources
HB 162, introduced by Gilbert, Raney, T. Beck, Grady, Yellowtail, Weeding (by request of the Environmental Quality Council), referred to Committee on Natural Resources

HB 163, introduced by Kasten, Gilbert, Stepler, L. Nelson, Keller, Peterson, Darko, Koehnke, Tunby, R. DeBruycker, Knox, Williams, Foster, Bruski, Cody, referred to Committee on Judiciary

The following Senate bills were introduced, read first time, and referred to committee:

SB 5, introduced by B. Brown (by request of the State Auditor), referred to Committee on Business and Economic Development

SB 9, introduced by Devlin, referred to Committee on Agriculture, Livestock and Irrigation

SB 12, introduced by Lynch (by request of the Legislative Council), referred to Committee on State Administration

SJR 4, introduced by Van Valkenburg, Driscoll (by request of the Joint Rules Committee), referred to Committee on Rules

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 11 - Representative Pavlovich moved HB 11 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Barnhart, Brooke, Kadas, S. Rice.
Total 4

Excused: None.
Total 0

Absent or not voting: S. J. Hansen, Knox, McCaffree.
Total 3

HB 17 - Representative Ream moved HB 17 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Boharski, Galvin, Grinde.
Total 3

Excused: None.
Total 0

Absent or not voting: Harrington, Phillips.
Total 2

HB 66 - Representative Barnett moved HB 66 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Boharski.
Total 1

Excused: None.
Total 0

Absent or not voting: Harrington, Messmore.
Total 2

HJR 3 - Representative J. Brown moved HJR 3 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Swysgood, Thoft, Thomas.
Total 3

Excused: None.
Total 0

Absent or not voting: S. Rice, Wanzenried.
Total 2

HR 1 - Representative Driscoll moved HR 1, second reading copy, be amended as follows (Amendment #1):

1. Page 31, line 22.
Following: line 21

Insert: "(10) a motion to approve a bill to authorize creation of state debt (two-thirds of each house);"

Renumber: subsequent subsections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved HR 1, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, D. Brown, Cobb, R. DeBruycker, Ellison, Lee, Phillips, Simpkins, Swysgood, Thomas.

Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman moved the adoption of the committee report. Report adopted. (99-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 164, introduced by Cobb (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Appropriations

HB 165, introduced by Schye, referred to Committee on Local Government

HB 166, introduced by Keller, Ellison, Schye, Stepler, Cobb, referred to Committee on Fish and Game

HB 167, introduced by McCulloch (by request of the Public Service Commission), referred to Committee on Highways and Transportation

HB 168, introduced by McCulloch (by request of the Public Service Commission), referred to Committee on Highways and Transportation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 15 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 78 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 94 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellis.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Aimee Ameline, Choteau
Michelle Brandt, Great Falls
Andria Briden, Dupuyer
Sean Greenlee, Great Falls
Mathew Hartnett, Helena
Sara Hayes, Missoula
Travis House, Philipsburg
Carla Radbourne, Great Falls

Speaker Harper asked members to submit amendment requests to the Amendments Coordinator as early as possible before Second Reading to facilitate preparation. He assured members that it is House policy to

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uphold the integrity of every amendment requested. Unless the amendment sponsor requests otherwise, no one will have access to an amendment until it is read across the rostrum and placed before the body for consideration.

Chief Clerk Andrus announced the deadline for bill draft requests from the Legislative Council is Thursday, January 17, 1991, at 5:00 p.m.

Chief Clerk Andrus announced the deadline for bill introduction, excluding revenue and appropriations bills is Tuesday, January 22, 1991, at 5:00 p.m.

Representative Driscoll moved the House adjourn until 1:30 p.m., Tuesday, January 15, 1991. Motion carried.

House adjourned at 2:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 15, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative T. Nelson. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fourth, fifth and sixth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/15/91
Correctly printed: HB 25, HB 109, HB 135.
Correctly engrossed: HB 126.
Correctly enrolled: HB 1.

HUMAN SERVICES AND AGING (Russell, Chairman): 1/15/91
HB 118, introduced bill, be amended as follows:

1. Page 6, line 21.

Strike: "verifiable"

Insert: "verified"

2. Page 8, line 18.

Following: "technician"

Insert: "or technicians"

3. Page 9, line 4.

Following: "board"

Insert: "or its designee"

4. Page 9, line 7.

Following: "assigned"

Insert: ", verified,"

Strike: "supervised"

Insert: "documented"

5. Page 11, line 16.

Following: "board"

Insert: "or its designee"

6. Page 11, line 17.

Following: "board"

Insert: "or its designee"

7. Page 11, line 19.

Strike: "to the board"

8. Page 11, line 21.

Following: "board"

Insert: "or its designee"

9. Page 11, line 23.

Following: "board"

Insert: "or its designee"

10. Page 11, line 25.

Following: "board"

Insert: "or its designee"

11. Page 12, line 5.

Strike: "The"

Insert: "If the board sets the fees, the"

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

1/14/91

HB 25, introduced bill, do pass. Report adopted.

HB 109, introduced bill, do pass. Report adopted.

HB 135, introduced bill, be amended as follows:

1. Page 2, line 25.

Following: "found"

Insert: "by the court"

Following: "indigent"

Insert: "following an examination into the matter by the court upon the request of a true owner claiming to be indigent"

2. Page 4, line 6.

Following: "owner is"

Insert: "found by the court to be indigent following an examination into the matter by the court upon the request of a true owner claiming to be"

And, as amended, do pass. Report adopted.

Adverse Committee Report

1/15/91

HB 129, do not pass.

HB 130, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "PERIODS"

Insert: "PERIOD"

Following: "FOR"

Insert: "A SECOND OR SUBSEQUENT"

2. Page 2, line 25, and page 3, line 1.

Strike: "6 months"

Insert: "90 days"

And, as amended, do not pass.

LEGISLATIVE ADMINISTRATION (Menahan, Chairman): 1/14/91
HJR 5, introduced bill, do pass. Report adopted.

Recommend that the following employees be hired by the 52nd Legislature:

CHIEF CLERK'S OFFICE AND ROSTRUM STAFF

Chief Clerk - Joyce Andrus
Assistant Chief Clerk - Vicki Lofthouse
Secretary to Chief Clerk - Bette "BJ" Hoven
Permanent Page to Chief Clerk - John "JD" Bauman
Journal Clerk - Laura Stafford
Assistant Journal Clerk - Barbara Sheline
Bills Clerk - Karma Alfredson
Assistant Bills Clerk/Status Input Technician - Barbara Griffith
Assistant Bills Coordinator/Reading Clerk - Mitchell Crilly
Bills Coordinator - Dave McAlpin
Amendments Coordinator - Susan Byorth Fox
Assistant Amendments Coordinator/Reading Clerk - Paul Daniels

SERGEANT-AT-ARMS STAFF

Sergeant-at-arms - Margaret Regan
Assistant Sergeant-at-arms - Kim Schleicher (Office Manager and Page Supervisor)
Assistant Sergeant-at-Arms - Steve Wilson (Key Distribution - House Maintenance)
Assistant Sergeant-at-Arms - Brian Garrity (Inventory - Bills Distribution)
Assistant Bills Distributor/Supply Clerk - Kara Menahan
Security Guards - Jim Abrahamson, Harry Draper, Dick Hart, Mike Hunt, Dennis McAlpin
Doorman - Jack McCarthy, Bob Lee
Legislative Telephone Operator - Hazel Swenson

COMMITTEE SECRETARIES AND WORD PROCESSORS

Word Processing Center Supervisor - Bek Meredith
Word Processing Center Assistant Supervisor - Colleen Hansen

Committee Secretaries

Judy Burggraff - State Administration
Jeanne Domme - Judiciary
Lisa Fairman - Natural Resources
Claudia Johnson - Agriculture, Livestock & Irrigation and Highways & Transportation
Sylvia Kinsey - Appropriations
Jeanne Flynn Krumm - Human Services
Dianne McKittrick - Education and Cultural Resources
Lois O'Connor - Local Government
Jo Lahti - Business and Economic Development
Ginger Puntenney - Fish and Game
Mona Spaulding - Taxation

Jennifer Thompson - Labor and Employment Relations
 Melissa Boyles - Education Subcommittee
 Theda Rossberg - Natural Resources Subcommittee
 Faith Conroy - Human Services Subcommittee
 Arlene Carlson - General Government & Highways Subcommittee
 Claudia Montagne - Long-Range Planning Subcommittee
 Mary Lou Schmitz - Institutions & Cultural Education Subcommittee

Word Processors

Eleanor Boviatsis
 Mona Freshour
 Delores Wordal

Committee Aides

Billie Jean Hill
 Jennifer Johnson
 Martha Newell
 Shannon Stallings

LEADERSHIP STAFF

Secretary to Speaker - Kay Turman
 Aide to Speaker - Paul Tuss
 Secretary to Majority Leader - Pat Jacobson
 Legislative Assistant to Majority Leader - Jim Kelble
 Secretary to Minority Leader - Rosana Skelton
 Aide to Minority Leader - Susan Good
 Permanent Page - Speaker/Majority Leader - Julie Tonkovich
 Page to Minority Leader - (no permanent assignment - will change on weekly basis)

ADDITIONAL EMPLOYEES

Legislative Assistant to Representative Gould - Lily Smith
 Legislative Assistant to Representative Boharski - Margaret Boharski

NATURAL RESOURCES (Raney, Chairman): 1/14/91
HB 126, introduced bill, do pass and be placed on the consent calendar.
 Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/15/91
HB 52, introduced bill, do pass. Report adopted.
HB 80, introduced bill, be amended as follows:

1. Page 1.

Following: line 10

Insert: "NEW SECTION. Section 1. Purchase of salary credit. (1) A member may apply for credit for earned compensation that was not paid to the member and not reported to the system because of a temporary absence of the member.

(2) To qualify salary under this section, a contribution must be paid in an amount equal to 5.7% of the salary not reported to the system multiplied by the total years of creditable service."

Renumber: subsequent sections

2. Page 4, lines 18 and 19.

Following: "required"

Strike: "for" on line 18 through "service" on line 19

Insert: "by [section 1]"

3. Page 6.

Following: line 25

Insert: "NEW SECTION. Section 3. {standard} Codification instruction. [Section 1] is intended to be codified as an integral part of Title 19, chapter 4, part 4, and the provisions of Title 19, chapter 4, part 4, apply to [section 1]."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 1/14/91

HB 1, introduced by Bardanouve

Senate bills passed and transmitted to the House for concurrence:
1/14/91

SB 16, introduced by Gage

SB 22, introduced by Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 169, introduced by Thoft, Svrcek, Grady, Peck, Darko, Driscoll, Stang, referred to Committee on Business and Economic Development

HB 170, introduced by Grinde, Driscoll (by request of the Department of Administration), referred to Committee on State Administration

HB 171, introduced by Benedict, Thomas, Thoft, Swysgood (by request of the Department of Natural Resources and Conservation), referred to Committee on Agriculture, Livestock, and Irrigation

HB 172, introduced by R. DeBruycker, Devlin, Steppler, Knox, Kasten, Tunby, Zook, Hayne, J. DeBruycker, Anderson, Koehnke, referred to Committee on Fish and Game

HB 173, introduced by Pavlovich, Daily, Toole, Menahan, Driscoll, Lynch, Stimatz, Quilici, Jacobson, D. Brown, Harrington, referred to Committee on Judiciary

HB 174, introduced by Grady, Elliott, Harper, Gilbert, Williams, Jergeson, R. DeBruycker, Svrcek, Devlin, T. Beck (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

HB 175, introduced by D. Brown, referred to Committee on Education and Cultural Resources

HB 176, introduced by T. Nelson, Fagg, Whalen, referred to Committee on Human Services and Aging

HB 177, introduced by Toole (by request of the Department of Justice), referred to Committee on Highways and Transportation

HB 178, introduced by Toole, Mazurek, referred to Committee on Judiciary

HB 179, introduced by Phillips, Pavlovich, Daily, Gervais, R. DeBruycker, Simpkins, Spring, Feland, Hayne, Bachini, Nathe, Harding, Devlin, Burnett, Bruski, Jergeson, referred to Committee on Appropriations

HB 180, introduced by Larson, Toole, Barnett, Gould, Davis, Keller, G. Beck, referred to Committee on State Administration

HB 181, introduced by Larson, Toole, Barnett, Gould, Davis, G. Beck, referred to Committee on Business and Economic Development

HB 182, introduced by Larson, Toole, Barnett, Gould, Davis, Keller, G. Beck, referred to Committee on Local Government

The following Senate bills were introduced, read first time, and referred to committee:

SB 16, introduced by Gage (by request of the State Auditor), referred to Committee on Business and Economic Development

SB 22, introduced by Gage, referred to Committee on Highways and Transportation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Thomas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 14 - Representative Peck moved HB 14 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kadas.

Total 1

Absent or not voting: Lee.

Total 1

HB 42 - Representative Cobb moved HB 42 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, R. DeBruycker, Dolezal, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.

Total 57

Noes: Bachini, Beck, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, Harrington, J. Johnson, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Peck, Quilici, Raney, Schye, Southworth, Wanzenried, Wyatt, Mr. Speaker.

Total 39

Excused: Kadas, Steppler.

Total 2

Absent or not voting: D. Brown, Whalen.

Total 2

HB 43 - Representative Cobb moved HB 43 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Measure.

Total 1

Excused: Kadas, Steppler.

Total 2

Absent or not voting: None.

Total 0

HB 69 - Representative Whalen moved HB 69 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Bachini, Benedict, Clark, Galvin, Grady, M. Hanson, Hayne, Hoffman, Keller, Kilpatrick, Knox, McCaffree, L. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Zook.

Total 21

Voted absentee: Steppler, Aye;

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 85 - Representative Stang moved HB 85 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch,

Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Stepler.

Total 1

Absent or not voting: None.

Total 0

HB 97 - Representative O'Keefe moved consideration of HB 97 be passed for the day. Motion carried.

HB 113 - Representative Lee moved HB 113 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted absentee: Stepler, Aye;

Excused: None.

Total 0

Absent or not voting: Ellis.

Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman moved the adoption of the committee report. Report adopted. (98-0)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/15/91
Correctly engrossed: HB 11, HB 17, HB 66, HJR 3.
Examined by the sponsor and found to be correct:
HB 1 - Bardanouve.
Signed by the Speaker at 1:50 p.m., 1/15/91: HB 1.
Delivered to the Governor for his approval at 2:00 p.m., 1/15/91: HB 1.

TAXATION (Harrington, Chairman): 1/15/91
HB 137, introduced bill, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 183, introduced by Raney, Halligan, Cohen, Svrcek, Darko, O'Keefe, Southworth, Cocchiarella, Harper, Hansen, Barnhart, McCulloch, Galvin, Ream, Whalen, Nisbet, J. Brown, Squires, Cobb, Scott, Stang, referred to Committee on Taxation

HB 184, introduced by Cobb, Cody, referred to Committee on Local Government

HB 185, introduced by Ellison, referred to Committee on Fish and Game

HB 186, introduced by Davis, referred to Committee on Natural Resources

HB 187, introduced by Driscoll, Harp, Wanzenried, Thayer, Manning, referred to Committee on Labor and Employment Relations

MOTIONS

Representative Driscoll moved HB 97 be taken from second reading and rereferred to the Committee on Business and Economic Development. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 54: Cody, R. DeBruycker, Stepler, McCarthy, Nathe, Madison, Davis, Connelly, Grady, Hoffman, J. DeBruycker, Stang, Whalen, McCaffree, Peck, Kadas, Halligan, Yellowtail, Hammond, Weeding, Benedict, Devlin, Bachini, O'Keefe.

The following sponsors were added to HB 104: McCulloch, Ream, Bachini, Whalen, Davis, Knox, Gilbert.

The following sponsors were added to HB 144: Svrcek.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Wednesday, January 16, 1991. Motion carried.

House adjourned at 2:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
January 16, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Reverend Lyle Person. Pledge of Allegiance to the Flag.

Roll call. All members present except Gervais, Grady, Whalen, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Mr. Speaker appointed Representatives Bob Gilbert, Marian Hanson and Orval Ellison to the Revenue Oversight Committee.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/16/91

Correctly printed: HB 52, HB 80, HB 118, HB 137, HJR 5.

Correctly engrossed: HB 14, HB 42, HB 43, HB 85, HB 69, HB 113.

Correctly enrolled: HR 1.

Examined by the sponsor and found to be correct:

HR 1 - Driscoll.

Signed by the Speaker at 9:00 a.m., 1/16/91: HR 1.

Delivered to the Secretary of State at 10:00 a.m., 1/16/91: HR 1.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 1/15/91

HB 23, introduced bill, do pass. Report adopted.

HB 98, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 1/16/91

HB 120, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "agriculture"

Insert: "and its related activities"

2. Page 5, line 25.

Strike: "5"

Insert: "20"

And, as amended, do pass. Report adopted.

HB 132, introduced bill, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 1/15/91

HB 55, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "supplies"

Strike: "items, goods, or services"

Insert: "any vehicle, road machinery or other machinery, apparatus, appliances, equipment, or materials or supplies"

2. Page 1, line 18.

Following: "\$10,000"

Strike: "\$25,000"

Insert: "\$20,000"

3. Page 1, line 20.

Following: "\$10,000"

Strike: "\$25,000"

Insert: "\$50,000"

4. Page 1, line 22.

Following: "\$25,000"

Strike: "\$60,000"

Insert: "\$45,000"

5. Page 2, line 11.

Following: "supplies"

Strike: "items, goods, or services"

Insert: "any vehicle, road machinery or other machinery, apparatus, appliances, equipment, or materials or supplies"

6. Page 2, line 12.

Following: "\$10,000"

Strike: "\$25,000"

Insert: "\$20,000"

7. Page 2, line 13.

Following: "\$25,000"

Strike: "\$60,000"

Insert: "\$50,000"

8. Page 3, line 9 and 10.

Following: "supplies"

Strike: "items, goods, or services"

Insert: "any vehicle, road machinery or other machinery, apparatus, appliances, equipment, or materials or supplies"

9. Page 3, line 11.

Following: line 10

Strike: "\$25,000"

Insert: "\$60,000"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 50, do not pass.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/15/91

SB 20, introduced by Swift

SB 33, introduced by Gage

SB 35, introduced by Weeding

SB 45, introduced by B. Brown

SB 4, introduced by Hager, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 1/15/91 to the House with the following vote:

YEAS - 21

NAYS - 29

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 188, introduced by Menahan, Pavlovich, Quilici, McCarthy, Harrington, Daily, G. Beck, Phillips, referred to Committee on Human Services and Aging

HB 189, introduced by Thoft, Harper, referred to Committee on Natural Resources

HB 190, introduced by R. DeBruycker, referred to Committee on Agriculture, Livestock, and Irrigation

HB 191, introduced by Measure, referred to Committee on Judiciary

HB 192, introduced by Wanzenried, Peterson, Cohen, Dowell, Vaughn, referred to Committee on Business and Economic Development

HB 193, introduced by Toole, Larson, referred to Committee on Taxation

HB 194, introduced by Toole, Pipinich, Measure, Daily, referred to Committee on Judiciary

HB 195, introduced by Kilpatrick, Gervais, Whalen, Davis, Larson, Southworth, Kimberley, Stickney, Russell, referred to Committee on State Administration

HB 196, introduced by Kilpatrick, Whalen, Davis, Larson, Southworth, Kimberley, Stickney, Russell, referred to Committee on Business and Economic Development

HB 197, introduced by Boharski, referred to Committee on Judiciary

HB 198, introduced by J. Rice, referred to Committee on Judiciary

HB 199, introduced by Gilbert, Gage, referred to Committee on Natural Resources

HB 200, introduced by Cohen, referred to Committee on Taxation

HB 201, introduced by Cohen, referred to Committee on Local Government

HB 202, introduced by Cohen, referred to Committee on Education and Cultural Resources

HB 203, introduced by S. Rice, referred to Committee on Business and Economic Development

HB 204, introduced by S. Rice, Harp, Manning, Grady, referred to Committee on Labor and Employment Relations

HB 205, introduced by Davis, Cocchiarella, Daily, McCulloch, Farrell (by request of the Teachers' Retirement Board), referred to Committee on State Administration

HB 206, introduced by Darko, Driscoll, Vaughn, referred to Committee on Highways and Transportation

HB 207, introduced by Barnett, Ellis, Spring, Hayne (by request of the Department of State Lands), referred to Committee on Agriculture, Livestock, and Irrigation

HB 208, introduced by Forrester, Clark, Bruski, referred to Committee on Education and Cultural Resources

HB 209, introduced by Wallin, Lynch, Thayer, H.S. Hanson, Pavlovich, Benedict, referred to Committee on Business and Economic Development

HB 210, introduced by Spring, R. DeBruycker, referred to Committee on Local Government

The following Senate bills were introduced, read first time, and referred to committee:

SB 4, introduced by Hager, referred to Committee on State Administration

SB 20, introduced by Swift, referred to Committee on Business and Economic Development

SB 33, introduced by Gage (by request of the Code Commissioner), referred to Committee on Judiciary

SB 35, introduced by Weeding, referred to Committee on Judiciary

SB 45, introduced by B. Brown (by request of the Board of Realty Regulation), referred to Committee on Business and Economic Development

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 11 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Barnhart, Brooke, Kadas.

Total 3

Excused: None

Total 0

Absent or not voting: Bergsagel, Ellison.

Total 2

HB 17 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Boharski, Galvin, Grinde.

Total 4

Excused: Gervais, Grady, Whalen.

Total 3

Absent or not voting: H. S. Hanson.

Total 1

HB 66 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Boharski.

Total 1

Excused: Gervais, Grady, Whalen.

Total 3

Absent or not voting: None.

Total 0

HJR 3 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Swysgood, Thoft, Thomas.

Total 3

Excused: Gervais, Grady, Whalen.

Total 3

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 54: Hockett, S.J. Hansen.

The following sponsors were added to HB 183: Doherty.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Thursday, January 17, 1991. Motion carried.

House adjourned at 1:25 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TENTH LEGISLATIVE DAY

Helena, Montana
January 17, 1991

House Chambers
State Capitol

House convened at 1:35 p.m. Mr. Speaker in the Chair. Invocation by Representative J. Johnson. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventh and eighth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/17/91
Correctly printed: HB 16, HB 23, HB 38, HB 48, HB 55, HB 98, HB 120, HB 132.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 1/16/91
SB 9, third reading copy, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 1/16/91
HB 48, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "CAR"
Insert: "TRUCK"

2. Title, line 6.
Strike: "AND"
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, lines 10 and 11.
Page 2, lines 9, 21, and 23.
Page 3, lines 2, 4, 8, 11, 15, and 20.
Page 4, lines 5, 8, and 10.
Strike: "car"
Insert: "truck"

4. Page 1, line 24 through page 2, line 8.
Following: line 23
Strike: line 24 through "section." on page 2, line 8

5. Page 4, line 8.
Following: line 7
Insert: "(2) The operator of a commercial tow truck used for the purpose of rendering assistance to other vehicles shall, when the rendering of assistance necessitates the obstruction of any portion of the roadway outside a business or residence district, place a highway warning sign as required in subsection (1)(b):

(a) in an area in which the posted speed limit is 45 miles an hour or less, not less than 450 feet in advance of the disabled vehicle and an equal distance to the rear of the disabled vehicle; and

(b) in an area in which the posted speed limit is more than 45 miles an hour, 600 feet in advance of the disabled vehicle and an equal distance to the rear of the disabled vehicle."

Renumber: subsequent subsection

6. Page 4, line 13.

Following: line 12

Insert: NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

1/16/91

HB 102, introduced bill, be amended as follows:

1. Page 3, line 14.

Strike: "program"

And, as amended, do pass. Report adopted.

HB 103, introduced bill, be amended as follows:

1. Title, lines 14 and 15.

Following: "SERVICES" on line 14

Strike: "FOR THE MENTALLY ILL"

Following: "PROGRAM" on line 15

Insert: "FOR ADULTS WHO ARE SERIOUSLY MENTALLY ILL"

2. Page 6, line 25.

Following: "shall"

Insert: ", subject to available appropriations,"

3. Page 7, line 3.

Following: "community"

Insert: "as an alternative to placement in jail"

4. Page 9, line 17 and 18.

Strike: "the" on line 17

Insert: "adults who are seriously"

Following: "1396n(g)" on line 18

Insert: ", but limited to services provided in crisis intervention programs established under [section 4]"

And, as amended, do pass. Report adopted.

RULES (Driscoll, Chairman):

1/17/91

SJR 4, third reading copy, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/16/91

HB 16, introduced bill, be amended as follows:

1. Title, line 7.

Following: "BIDDER;"

Insert: "PROVIDING THAT IF THERE IS NO RESPONSIBLE IN-STATE
BIDDER, THE WORK MAY BE PERFORMED BY THE LOWEST
RESPONSIBLE BIDDER OUTSIDE THE STATE;"

2. Page 1, line 16.

Following: "~~18-1-102~~."

Insert: "If there is no responsible in-state bidder, the work may be
performed by the lowest responsible bidder outside the state.
Federal exemptions as specified in 18-1-102(2)(b) apply."

And, as amended, do pass. Report adopted.

HB 38, introduced bill, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 50 - Representative Wyatt moved the 1/16/91 adverse committee report
on HB 50 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Bergsagel, Boharski,
Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen,
Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis,
Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, H.
S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas,
Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree,
McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich,
Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Spring,
Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby,
Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 78

Noes: Barnett, Benedict, Cody, J. DeBruycker, R. DeBruycker, Elliott,
Gilbert, Gould, Hoffman, Keller, Mercer, L. Nelson, T. Nelson, O'Keefe, Peck,
Peterson, J. Rice, Scott, Simpkins, Stepler, Zook.

Total 21

Excused: None.

Total 0

Absent or not voting: S. J. Hansen.

Total 1

HB 129 - Representative Strizich moved the 1/15/91 adverse committee
report on HB 129 be adopted. Motion carried as follows:

Ayes: Bardanoue, Beck, Becker, Bradley, D. Brown, Cobb, Cocchiarella,
Cody, Connelly, Cromley, Daily, J. DeBruycker, Dolezal, Dowell, Driscoll,
Elliott, Ellis, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, H. S. Hanson, Harrington, Hayne, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 63

Noes: Bachini, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Brooke, J. Brown, Clark, Cohen, Darko, Davis, R. DeBruycker, Ellison, Fagg, Feland, M. Hanson, Hoffman, R. Johnson, Kadas, Kasten, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Quilici, J. Rice, Simpkins, Spring, Stepler, Thomas, Tunby, Wallin.
Total 36

Excused: None.
Total 0

Absent or not voting: S. J. Hansen.
Total 1

HB 130 - Representative Strizich moved the 1/15/91 adverse committee report on HB 130 be adopted. Motion carried as follows:

Ayes: Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Bachini, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, M. Hanson, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Mercer, T. Nelson, Peck, Peterson, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thomas, Tunby, Wallin, Zook.
Total 38

Excused: None.
Total 0

Absent or not voting: Messmore.
Total 1

MESSAGES FROM THE SENATE

SB 4, introduced by Hager, which was transmitted to the House on January 15, 1991, and which requires adoption by an affirmative roll call vote of two-thirds of all the members of the legislature, was corrected on 1/16/91 as follows:

YEAS - 20
NAYS - 30

Senate bill passed and transmitted to the House for concurrence:1/16/91

SB 24, introduced by Williams

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

January 17, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bill 1 on January 17, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 211, introduced by Bradley, Lee, Fagg, Messmore, J. Rice, Toole, referred to Committee on Judiciary

HB 212, introduced by Cohen, Fritz, referred to Committee on Judiciary

HB 213, introduced by Connelly, Cohen, Measure, Wanzonried, Kennedy, J. DeBruycker, Dowell, Lee, Harp, B. Brown, referred to Committee on Local Government

HB 214, introduced by Connelly, Kennedy, J. Brown, referred to Committee on Local Government

HB 215, introduced by Driscoll, Gilbert, Raney, Yellowtail, Weeding (by request of the Environmental Quality Council), referred to Committee on Natural Resources

HB 216, introduced by Driscoll, Gilbert, Raney, Yellowtail (by request of the Environmental Quality Council), referred to Committee on Natural Resources

HB 217, introduced by Spring, referred to Committee on Education and Cultural Resources

HB 218, introduced by Spring, referred to Committee on State Administration

HB 219, introduced by Raney, Yellowtail, Russell, Gervais, Ellison, Gilbert, O'Keefe, Cocchiarella, Cobb, Whalen, Darko, Kimberley, Ream, J. Johnson, Kadas, McCulloch, Bradley, Harper, Wyatt, Barnhart, Southworth, Cohen, referred to Committee on Fish and Game

HB 220, introduced by Raney, Yellowtail, O'Keefe, Kadas, Cocchiarella, Kimberley, Harper, referred to Committee on Taxation

HB 221, introduced by Toole, Fagg, Cromley (by request of the Department of Justice), referred to Committee on Judiciary

HB 222, introduced by O'Keefe, Wanzenried, Kennedy, referred to Committee on Highways and Transportation

HB 223, introduced by Lee (by request of the Department of State Lands), referred to Committee on Business and Economic Development

HJR 6, introduced by Toole, Gilbert (by request of the Environmental Quality Council), referred to Committee on Agriculture, Livestock, and Irrigation

HJR 7, introduced by Larson, Measure, Cohen, Toole, McCulloch, Kilpatrick, Brooke, Wanzenried, Davis, O'Keefe, referred to Committee on Local Government

HJR 8, introduced by Kadas, Quilici, Schye, S. Rice, Halligan, Yellowtail, Blaylock, Whalen, Strizich, Doherty, referred to Committee on Natural Resources

HJR 9, introduced by Russell, Gervais, Yellowtail, referred to Committee on Judiciary

The following Senate bill was introduced, read first time, and referred to committee:

SB 24, introduced by Williams, referred to Committee on Human Services and Aging

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative J. Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 25 - Representative Cody moved HB 25 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cocchiarella, Cohen, Daily, R. Johnson, Kadas, Measure, Pavlovich.
Total 7

Excused: None.
Total 0

Absent or not voting: H. S. Hanson.
Total 1

HB 52 - Representative Nisbet moved HB 52 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker, Peck, Spring, Swysgood.
Total 4

Excused: Elliott, Stang.
Total 2

Absent or not voting: None.
Total 0

HB 80 - Representative Nisbet moved HB 80 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Barnett, Cobb, Ellison, Grinde, Kasten, Spring, Wallin.
Total 7

Excused: Elliott, Stang.
Total 2

Absent or not voting: None.
Total 0

HB 109 - Representative Brooke moved HB 109 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Elliott, Aye.

Excused: Stang.
Total 1

Absent or not voting: Benedict, Ellis.
Total 2

HB 118 - Representative J. Brown moved HB 118, second reading copy, be amended as follows (Amendment #1):

1. Page 11, line 14.
Following: "A"
Insert: "pharmacy in which a"

2. Page 11, line 18.
Strike: "OR ITS DESIGNEE"

3. Page 11, line 24.
Strike: "OR ITS DESIGNEE"

4. Page 12, line 1.
Strike: "OR ITS DESIGNEE"

5. Page 12, line 6.
Following: "."

Insert: "The board may designate a private entity to collect the fees adopted by the board."

6. Page 12, line 7.

Strike: "IF THE BOARD SETS THE FEES, THE"

Insert: "The"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Elliott, Stang.

Total 2

Absent or not voting: None.

Total 0

Representative J. Brown moved HB 118, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 96

Noes: Benedict, Wallin, Zook.

Total 3

Voted Absentee: Elliott, Aye.

Excused: Stang.

Total 1

Absent or not voting: None.

Total 0

HB 135 - Representative Lee moved HB 135 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Elliott, Stang.

Total 2

Absent or not voting: None.

Total 0

HB 137 - Representative Harrington moved HB 137 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Benedict, Swysgood, Thoft.
Total 3

Excused: Elliott, Stang.
Total 2

Absent or not voting: None.
Total 0

HJR 5 - Representative Menahan moved HJR 5 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Elliott, Stang.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J. Rice moved the adoption of the committee report. Report adopted. (100-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 224, introduced by Peck, Forrester, Spring, Barnhart, Madison, Lynch, Harp, Hager, Manning, referred to Committee on Business and Economic Development

HB 225, introduced by Phillips, referred to Committee on State Administration

HB 226, introduced by O'Keefe, referred to Committee on Education and Cultural Resources

HB 227, introduced by Larson, Pipinich, Bergsagel, Kimberley, Davis, Forrester, G. Beck, Southworth, Toole, J. Johnson, Gould, Schye, referred to Committee on Local Government

HB 228, introduced by Larson, Pipinich, Bergsagel, Kimberley, Davis, Forrester, G. Beck, Southworth, Toole, J. Johnson, Gould, Schye, referred to Committee on Judiciary

HB 229, introduced by Fagg, Toole, referred to Committee on Judiciary

HB 230, introduced by Larson, Pipinich, Bergsagel, Gould, Davis, G. Beck, Southworth, Kimberley, J. Johnson, Schye, Kilpatrick, Toole, referred to Committee on Local Government

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 14 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzanried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 42 failed as follows:

Ayes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Cromley, R. DeBruycker, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 45

Noes: Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 54

Excused: None.

Total 0

Absent or not voting: Bachini.

Total 1

HB 43 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 69 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang,

Steppler, Stickney, Strizich, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 78

Noes: Benedict, Bergsagel, Clark, Ellison, Gilbert, M. Hanson, Hayne, Hoffman, Keller, Kilpatrick, Knox, McCaffree, L. Nelson, Peterson, Simpkins, Spring, Swysgood, Thoft, Thomas, Toole, Zook.

Total 21

Excused: None.

Total 0

Absent or not voting: Pavlovich.

Total 1

HB 85 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Measure.

Total 1

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

HB 113 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice,

S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 126 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Elliott.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Stang moved HB 65 and HB 150 be taken from the Committee on Highways and Transportation and rereferred to the Committee on Local Government. Motion carried.

Representative Gervais moved the rules be suspended to allow him to be recorded as voting yes on HB 11, third reading. Motion carried.

Representative Whalen moved the rules be suspended to allow him to be recorded as voting yes on HB 11, third reading. Motion carried.

Representative Grady moved the rules be suspended to allow him to be recorded as voting yes on HB 11, third reading. Motion carried.

Representative J. DeBruycker moved she be allowed to change her vote on HB 50, adverse committee report, from yes to no. Motion carried.

Representative Bachini moved HB 192 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Highways and Transportation. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 30: Van Valkenburg, Devlin, Swift, Jergeson, L. Nelson, T. Nelson, Phillips, Wyatt, Bradley, Bianchi, Waterman, Gervais, Bachini, J. Brown, G. Beck, Squires, Kadas, Quilici, Harrington, Daily, Schye, O'Keefe, Cocchiarella, Davis, Darko, Harper, Kilpatrick, Stickney, Whalen, Kimberley, Dolezal, Nisbet, D. Brown, Mercer.

The following sponsors were added to HB 191: Mazurek, Wanzenried, Squires, Toole, Whalen, J. Rice, Mercer.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Friday, January 18, 1991. Motion carried.

House adjourned at 2:35 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 18, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend Ken Moore. Pledge of Allegiance to the Flag.

Roll call. All members present except Kadas, Peck, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the ninth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/18/91
Correctly printed: HB 102, HB 103.
Correctly engrossed: HB 25, HB 52, HB 80, HB 109, HB 118, HB 135, HB 137, HJR 5.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 1/17/91
HB 22, introduced bill, do pass. Report adopted.
SB 5, third reading copy, be concurred in. Report adopted. 1/18/91

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 1/17/91
HB 32, introduced bill, do pass. Report adopted.
HB 82, introduced bill, do pass. Report adopted.
HB 84, introduced bill, do pass. Report adopted.
HB 99, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 1/17/91
HB 24, introduced bill, be amended as follows:

1. Title, line 9.
Strike: "NONARBITRARY"

2. Title, line 10.
Strike: "RELEVANT"

3. Page 2, line 17.
Following: "(c)"
Insert: "if the department or a licensed child-placing agency that is not affiliated with a particular religious faith is the child-placing agency,"

4. Page 3, line 4.
Following: "parents."
Page 3, line 19.
Following: "(1)."
Page 5, line 22.
Following: "subsection."

Insert: "Consideration of religious factors by a licensed child-placing agency that is affiliated with a particular religious faith is not arbitrary consideration of religion within the meaning of this section."

And, as amended, do pass. Report adopted.

HB 114, introduced bill, be amended as follows:

1. Page 1, lines 16 and 17.

Strike: "institution" on line 16 through "offense" on line 17

Insert: "health facility under [Title 46, chapter 14]"

2. Page 1, line 25.

Page 2, lines 2 and 6.

Strike: "and"

Insert: "or"

3. Page 2, line 5.

Strike: "and"

4. Page 2, line 8.

Strike: "."

Insert: "; and"

5. Page 2, line 9.

Following: line 8

Insert: "(d) the sheriff or other law enforcement officials in the county in which the jail, prison, hospital, mental health facility, or other institution from which the person escaped or was released is located.

(3) A sheriff or other law enforcement officials given notice under subsection (2)(d) may give the notice to any local or neighborhood watch program or programs in the county."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

1/17/91

HB 39, introduced bill, do pass. Report adopted.

HB 119, introduced bill, do pass. Report adopted.

TAXATION (Harrington, Chairman):

1/18/91

HB 58, introduced bill, be amended as follows:

1. Page 2, line 9.

Following: line 8

Insert: "and the governing body may grant a"

And, as amended, do pass. Report adopted.

HB 153, introduced bill, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/17/91

SB 2, introduced by Hager
SB 11, introduced by Thayer
SB 41, introduced by B. Brown
SB 61, introduced by Crippen

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 231, introduced by Cobb, Driscoll, Darko, Menahan, Thomas, J. Brown, referred to Committee on State Administration
HB 232, introduced by Clark, Benedict, Forrester, Driscoll, Thomas, Cocchiarella, referred to Committee on Labor and Employment Relations
HB 233, introduced by Bardanouve, Raney, Jergeson, referred to Committee on Natural Resources
HB 234, introduced by Pavlovich, J. Johnson, Menahan, Pipinich, Stickney, Steppler, McCarthy, Galvin, Harrington, Driscoll, Cody, L. Nelson, D. Brown, Whalen, Phillips, Daily, Kilpatrick, Gilbert, Southworth, Forrester, Kimberley, McCulloch, Stang, Scott, Quilici, referred to Committee on Appropriations
HB 235, introduced by Gilbert (by request of the Department of Commerce), referred to Committee on Business and Economic Development
HB 236, introduced by Gilbert (by request of the Department of Justice), referred to Committee on Highways and Transportation
HB 237, introduced by Ellison, D. Brown, Keller, Raney, Gilbert, Quilici, Grady, M. Hanson, Grosfield, referred to Committee on Natural Resources
HB 238, introduced by Boharski, Peck, Thomas, Bardanouve, referred to Committee on Education and Cultural Resources
HB 239, introduced by Raney, Yellowtail, Weeding, Whalen, Driscoll, Gilbert, Grady (by request of the Environmental Quality Council), referred to Committee on Natural Resources
HB 240, introduced by Raney, Yellowtail, Weeding, Whalen, Driscoll, Gilbert, Grady (by request of the Environmental Quality Council), referred to Committee on Natural Resources
HB 241, introduced by Whalen, Menahan, Cohen, Toole, Franklin, Gervais, Squires, Kimberley, Strizich, Pavlovich, Daily, Russell, Cocchiarella, Darko, Raney, Driscoll, Steppler, O'Keefe, D. Brown, Nisbet, J. Brown, Scott, Peck, Lynch, Bardanouve, S. Rice, Hansen, Vaughn, Eck, Brooke, Davis, Elliott, Bachini, Harrington, Connelly, J. Johnson, Grady, McCulloch, Kilpatrick, Nathe, Southworth, Manning, Stimatz, Weeding, Bruski, Bradley, Svrcek, Pipinich, Halligan, Wanzenried, Jergeson, Yellowtail, Koehnke, Fritz, G. Beck, Forrester, Dolezal, McCaffree, Madison, McCarthy, Galvin, Barnhart, J. DeBruycker, Kadas, Towe, Measure, Blaylock, Ream, Hockett, Dowell, Larson, Jacobson, Waterman, Becker, Rea, Harper, Bengtson, Kennedy, Hager, B. Brown, Van Valkenburg, referred to Committee on Business and Economic Development

HB 242, introduced by Thomas, Devlin, Driscoll, Manning (by request of the Department of Administration), referred to Committee on State Administration

HB 243, introduced by J. Brown, T. Beck (by request of the Department of Administration), referred to Committee on State Administration

HB 244, introduced by Thomas, B. Brown, Hoffman, Harper, Whalen, O'Keefe, Cobb (by request of the Secretary of State), referred to Committee on State Administration

HB 245, introduced by T. Nelson, Wallin, Driscoll, Noble, referred to Committee on Human Services and Aging

HB 246, introduced by T. Nelson, Wallin, Noble, Driscoll, referred to Committee on Human Services and Aging

HB 247, introduced by Spring, Steppler, Schye, L. Nelson, referred to Committee on Natural Resources

HB 248, introduced by R. Johnson, Cromley, Wallin, T. Nelson, Southworth, Doherty (by request of the Securities Department of the State Auditor's Office), referred to Committee on Business and Economic Development

HB 249, introduced by Harper, Simpkins, Tunby, Galvin, Knox, referred to Committee on Highways and Transportation

HB 250, introduced by Harper, Wanzensried, Cobb, Galvin, referred to Committee on Highways and Transportation

HB 251, introduced by Driscoll, Svreck, Thoft, Williams, Thomas, Connelly, Thayer, R. Johnson, Benedict, referred to Committee on Labor and Employment Relations

HB 252, introduced by Forrester, Quilici, Williams, T. Beck, Driscoll, Scott, Lynch, Doherty, referred to Committee on Business and Economic Development

The following Senate bills were introduced, read first time, and referred to committee:

SB 2, introduced by Hager, referred to Committee on Business and Economic Development

SB 11, introduced by Thayer, referred to Committee on Labor and Employment Relations

SB 41, introduced by B. Brown, referred to Committee on State Administration

SB 61, introduced by Crippen, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 16 - Representative Harper moved HB 16, second reading copy, be amended as follows (Amendment #1):

1. Page 1, line 17.

Following: "bidder"

Insert: "if the bid, including the cost of delivery, does not exceed the lowest bid by a nonresident printer by more than 8%"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzensried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Kadas, Peck.
Total 2

Absent or not voting: Grady.
Total 1

Representative Driscoll moved HB 16, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzensried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bardanouve, Benedict, Clark, Cobb, M. Hanson, Stepler, Thomas.
Total 7

Excused: Kadas, Peck.
Total 2

Absent or not voting: Grady.

Total 1

HB 23 - Representative Cody moved HB 23 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bardanouve, Driscoll, O'Keefe.

Total 3

Excused: Kadas, Peck.

Total 2

Absent or not voting: None.

Total 0

HB 38 - Representative Grady moved HB 38 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Bachini, Benedict, Gilbert, Grinde, Stepler, Swysgood.

Total 6

Excused: Cobb, Kadas, Peck, Peterson, Quilici, J. Rice, Zook.

Total 7

Absent or not voting: None.
Total 0

HB 48 - Representative Grady moved HB 48, second reading copy, be amended as follows (Amendment #1):

1. Page 4, line 23.

Following: "VEHICLE"

Insert: ", except on a divided highway where the disabled vehicle does not cause disruption of traffic traveling on the opposite side of the divided highway,"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Cobb, Kadas, Peck, Peterson, Quilici, J. Rice, Zook.
Total 7

Absent or not voting: Harrington.
Total 1

Representative Grady moved HB 48, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: None.

Total 0

Excused: Cobb, Grinde, Kadas, Peck, Peterson, Quilici, J. Rice, Zook.

Total 8

Absent or not voting: None.

Total 0

HB 55 - Representative Madison moved HB 55 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Bardanouve, Boharski, Clark, Cohen, Connelly, Elliott, Foster, M. Hanson, Kasten, Kilpatrick, Lee, Measure, Mercer, Phillips, Tunby.

Total 15

Voted Absentee: Peck, Aye.

Excused: Cobb, Grinde, Kadas, Peterson, Quilici, Zook.

Total 6

Absent or not voting: None.

Total 0

HB 98 - Representative Dolezal moved HB 98 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Lee, Simpkins.

Total 2

Excused: Cobb, Grinde, Kadas, Peck, Peterson, Quilici, Zook.

Total 7

Absent or not voting: None.

Total 0

HB 132 - Representative D. Brown moved HB 132 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Boharski, Clark, R. DeBruycker, Phillips, Simpkins, Thomas.

Total 6

Excused: Cobb, Grinde, Kadas, Peck, Peterson, Quilici, Zook.

Total 7

Absent or not voting: None.

Total 0

SJR 4 - Representative Driscoll moved SJR 4 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Excused: Cobb, Grinde, Kadas, Peck, Peterson, Quilici, Zook.

Total 7

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (91-0)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

1/18/91

HB 181, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "buyer"

Strike: ", "

Insert: "in a buy-sell agreement or"

2. Page 1, line 25.

Following: "buyer"

Strike: ", "

3. Page 2, line 10.

Following: "Title"

Strike: "50"

Insert: "30"

Following: "chapter"

Strike: "39"

Insert: "11, part 2"

Following: "Title".

Strike: "50"

Insert: "30"

4. Page 2, line 11.

Following: "chapter"

Strike: "39"

Insert: "11, part 2"

And, as amended, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):

1/18/91

HB 89, introduced bill, be amended as follows:

1. Page 2, line 17.

Following: "fish,"

Insert: "parks,"

2. Page 2, lines 18 and 19.

Following: "of" on line 18

Insert: "wildlife,"

Following: "fish," on line 18

Strike: "game, game birds, animals"

Insert: "parks"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

HB 91, introduced bill, do pass. Report adopted.

HB 107, introduced bill, be amended as follows:

1. Page 2, line 5.

Following: "foundation."

Insert: "Neither the department nor the license agent is required to provide records of past archery license purchases."

2. Page 3, line 10.

Strike: "July"

Insert: "March"

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

1/18/91

HB 72, introduced bill, be amended as follows:

1. Page 1, line 18.

Page 8, lines 19 and 21.

Strike: "6"

Insert: "5"

2. Page 1, line 21.

Following: "defendant"

Insert: "charged with a misdemeanor"

3. Page 4, line 20.

Following: "custody"

Insert: "on misdemeanor charges"

4. Page 5, line 1.

Strike: "Except as provided in [section 6], a"

Insert: "A"

Following: "defendant"

Insert: "charged with a misdemeanor"

5. Page 5, line 13 through line 23 of page 6.

Strike: section 6 of the bill in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 253, introduced by Simpkins, referred to Committee on Education and Cultural Resources

HB 254, introduced by Simpkins, referred to Committee on Education and Cultural Resources

HB 255, introduced by Gilbert, Swysgood, Devlin (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

HB 256, introduced by Driscoll, Thomas (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations

HB 257, introduced by Gilbert, referred to Committee on State Administration

HB 258, introduced by Bachini, Nathe, Stang, Wallin, Lynch, Driscoll, Halligan, J. Brown, Thayer, Kasten, referred to Committee on Business and Economic Development

HB 259, introduced by Cocchiarella, Hansen, Kimberley, T. Nelson, Squires, Whalen, O'Keefe, Forrester, Stickney, J. Brown, Nisbet, Becker, Grady, Harper, Davis, Manning, Strizich, Menahan, G. Beck, Brooke, Toole, Southworth, Driscoll, Russell, Daily, Schye, J. Rice, Thomas, Galvin, Eck, Waterman, Clark, Pavlovich, McCulloch, T. Beck, Stimatz, Mazurek, Connelly, Darko, Raney, L. Nelson, S. Rice, Elliott, Gould, Lynch, referred to Committee on State Administration

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 139: Rea.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, January 19, 1990. Motion carried.

House adjourned at 2:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 19, 1991

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Wyatt. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, Harrington, Knox, Quilici, Ream, Russell, Swysgood excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/19/91
Correctly printed: HB 22, HB 24, HB 32, HB 39, HB 58, HB 72, HB 82, HB 84, HB 91, HB 99, HB 107, HB 114, HB 119, HB 153, HB 181.
Correctly engrossed: HB 16, HB 23, HB 38, HB 48, HB 55, HB 89, HB 98, HB 132.

HUMAN SERVICES AND AGING (Russell, Chairman): 1/18/91
HB 111, introduced bill, do pass. Report adopted.
HB 176, introduced bill, be amended as follows:

Title, line 7.
Strike: "AND"

Title, line 8.
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

1. Page 3.
Following: line 15
Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 1/18/91
HB 145, introduced bill, be amended as follows:

1. Title, line 5.
Following: "RETAILERS"
Insert: "AND WHOLESALERS"

2. Title, line 7.
Strike: "COLLECTOR"
Insert: "RECYCLING COLLECTION CENTERS"

3. Page 1, line 14.
Strike: "40 CFR 266.40"
Insert: "40 CFR 266.23"

4. Page 1, line 15.
Following: "of"
Strike: "disposal"
Insert: "management"

5. Page 1, line 16.

Following: "and"

Strike: "burning"

Insert: "use as a substitute fuel"

6. Page 1, line 22.

Following: "stores"

Insert: "and wholesale outlets"

7. Page 2, line 2.

Following: "retailer"

Insert: "and wholesaler"

8. Page 2, line 3.

Following: "store"

Insert: "or wholesale outlet"

9. Page 2, line 4.

Following: "oil"

Strike: "collector"

Insert: "recycling collection centers"

10. Page 2, line 6.

Following: "retailers"

Insert: "and wholesalers"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/18/91

SB 14, introduced by Williams

SB 25, introduced by Williams

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 260, introduced by Barnhart, Bardanouve, Eck, Southworth, Cocchiarella, McCulloch, Raney, Harper, Vaughn, Squires, Bradley, Whalen, O'Keefe, Jacobson, referred to Committee on Human Services and Aging

HB 261, introduced by Kilpatrick, Bradley, Wallin, Bengtson, Bianchi, Davis (by request of the Joint Interim Subcommittee on Marketing of Motor Fuels), referred to Committee on Business and Economic Development

HB 262, introduced by Harrington, referred to Committee on Taxation

HB 263, introduced by Driscoll, Gilbert, Raney, Grady, Yellowtail, Weeding, T. Beck (by request of the Environmental Quality Council), referred to Committee on Highways and Transportation

HB 264, introduced by Lee, Connelly, Wanzenried, B. Brown, Kennedy, Harding, Mercer, Cohen, Measure, Dowell, Boharski, Pinsoneault, Crippen, referred to Committee on Appropriations

HB 265, introduced by Connelly, Towe, referred to Committee on Taxation

HB 266, introduced by M. Hanson, Ellison, Weeding, Devlin, Hayne, Yellowtail (by request of the Department of State Lands), referred to Committee on Natural Resources

HB 267, introduced by Ream, Halligan, Strizich, Pipinich, Fritz, Eck, Harrington, referred to Committee on Taxation

HB 268, introduced by Measure, Halligan, referred to Committee on Judiciary

HB 269, introduced by Cocchiarella, Van Valkenburg, Dowell, Wyatt, referred to Committee on Judiciary

HB 270, introduced by Cocchiarella, Van Valkenburg, Dowell, Wyatt, referred to Committee on Judiciary

HB 271, introduced by Driscoll, Van Valkenburg, Menahan, Connelly, Raney, Lynch, Scott, Quilici, Measure, J. Johnson, Cohen, Pavlovich, Pipinich, Nathe, Galvin, Hockett, Harrington, Hansen, McCaffree, B. Brown, D. Brown, Darko, Strizich, Squires, Whalen, referred to Committee on Labor and Employment Relations

The following Senate bills were introduced, read first time, and referred to committee:

SB 14, introduced by Williams (by request of the Joint Select Committee on Workers' Compensation), referred to Committee on Labor and Employment Relations

SB 25, introduced by Williams, referred to Committee on Local Government

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Grinde in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 5 - Representative Bachini moved SB 5 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth,

Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Driscoll, Raney.
Total 2

Voted Absentee: Knox, Ream, Ayes.

Excused: Cohen, Harrington, Quilici, Russell, Swysgood.
Total 5

Absent or not voting: None.
Total 0

SB 9 - Representative Kasten moved SB 9 be concurred in. Motion failed as follows:

Ayes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, Daily, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Madison, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Ream, J. Rice, Simpkins, Spring, Steppler, Thoft, Thomas, Tunby, Wallin, Zook.
Total 47

Noes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Peck, Quilici, Raney, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 48

Voted Absentee: Knox, Ream, Ayes; Harrington, Quilici, Noes.

Excused: Cohen, Russell, Swysgood.
Total 3

Absent or not voting: Bardanouve, Cody.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved the adoption of the committee report.

Representative Steppler made a substitute motion SB 9 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (85-6)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 25 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Kadas.

Total 1

Excused: Cohen, Harrington, Knox, Quilici, Ream, Russell, Swysgood.

Total 7

Absent or not voting: Strizich.

Total 1

HB 52 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Barnett, R. DeBruycker.

Total 2

Excused: Cohen, Harrington, Knox, Quilici, Ream, Russell, Swysgood.

Total 7

Absent or not voting: Feland.

Total 1

HB 80 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Schye, Scott, Simpkins, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Ellison, Grinde, Kasten, Spring, Wallin.

Total 6

Excused: Cohen, Harrington, Knox, Quilici, Ream, Russell, Swysgood.

Total 7

Absent or not voting: Southworth.

Total 1

HB 109 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.

Total 0

Voted Absentee: Quilici, Aye.

Excused: Cohen, Harrington, Knox, Ream, Russell, Swysgood.

Total 6

Absent or not voting: Measure.

Total 1

HB 118 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: Benedict, Wallin, Zook.
Total 3

Voted Absentee: Quilici, Aye.

Excused: Cohen, Harrington, Knox, Ream, Russell, Swysgood.
Total 6

Absent or not voting: None.
Total 0

HB 135 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Cohen, Harrington, Knox, Quilici, Ream, Swysgood.
Total 6

Absent or not voting: None.
Total 0

HB 137 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Benedict.

Total 1

Voted Absentee: Harrington, Knox, Ayes.

Excused: Cohen, Guilici, Ream, Swysgood.

Total 4

Absent or not voting: None.

Total 0

HJR 5 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Cohen, Harrington, Knox, Guilici, Ream, Swysgood.

Total 6

Absent or not voting: M. Hanson, McCaffree, Tunby.

Total 3

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 272, introduced by Bradley, Lee, Mehahan, Strizich, Wanzenried, J. Rice, Fagg referred to Committee on Judiciary

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 212: Squires, Whalen, Strizich, Measure, Wyatt, Ream, Galvin, Brooke, Harrington, Harper, Wanzenried, Toole, Larson, Davis, Raney, Cocchiarella, Kimberley, S. Rice, Hansen, L. Nelson, Elliott, Bradley, Barnhart, O'Keefe, Becker, Southworth, McCulloch.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Monday, January 21, 1991. Motion carried.

House adjourned at 8:35 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 21, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except M. Hanson, Lee, Schye, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the tenth legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

Mr. Speaker appointed Representative Wallin to a temporary position on the Legislative Council.

Mr. Speaker appointed Representative Grinde to a temporary position on the Legislative Audit Committee.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/21/91
Correctly printed: HB 111, HB 145, HB 176.
Correctly engrossed: SB 5, SJR 4.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 1/21/91

HB 209, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 1/21/91
HB 26, introduced bill, be amended as follows:

1. Title, lines 5 through 8.
Strike: "REQUIRING" on line 5 through "HOME;" on line 8
2. Title, lines 11 through 14.
Strike: "REQUIRING" on line 11 through "PARENTS;" on line 14
3. Page 3, line 12.
Strike: "as required by 40-8-122"
4. Page 3, line 14.
Following: "state"
Insert: "whether counseling for the birth parents is recommended and"
5. Page 4, line 1.
Following: "**and**"
Insert: "and"
6. Page 4, lines 2 and 3.
Strike: lines 2 and 3 in their entirety

7. Page 4, line 4.

Strike: "(f)"

Insert: "(e)"

8. Page 4, line 24.

Strike: "(a)"

Renumber: subsequent subsections (i) through (iii) as (a) through (c).

9. Page 5, line 6

Strike: "or home study"

10. Page 5, line 7.

Strike: "[section 2]"

Insert: "subsection (3)"

11. Page 5, line 8.

Following: "received"

Insert: "any"

12. Page 5, lines 8 and 9.

Strike: "in accordance" on line 8 through "[section 3]" on line 9

Insert: "recommended by the report required by subsection (3) and ordered by the court"

13. Page 5, line 10 through line 16

Strike: subsection (b) in its entirety

14. Page 6, line 6 through page 8, line 4.

Strike: sections 2 and 3 of the bill in their entirety

Renumber: subsequent sections

15. Page 9, line 2.

Page 10, line 11.

Strike: "or home study"

16. Page 11, line 21 through page 12, line 1.

Strike: subsection (9) in its entirety

Renumber: subsequent subsections

17. Page 12, line 13.

Strike: "4"

Insert: "2"

18. Page 12, line 16.

Strike: "Sections"

Insert: "Section"

Strike: "through 4"

Strike: "are"

Insert: "is"

19. Page 12, line 19.

Strike: "sections"

Insert: "section"

Strike: "through 4"

And, as amended, do pass. Report adopted.

HB 70, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "DESIGN"

Insert: "ENVIRONMENT"

2. Page 1, line 15.

Page 2, lines 15 and 24.

Page 10, line 22.

Strike: "design"

Insert: "environmental"

3. Page 1, line 21.

Following: "minimum"

Insert: "environmental standards and"

Strike: "of"

4. Page 1, line 22.

Strike: "design,"

Insert: "for the"

Following: "maintenance"

Strike: ", "

Strike: "for"

Insert: "of"

5. Page 1, line 24.

Page 4, line 22.

Page 5, line 5.

Page 7, lines 21 and 22.

Page 10, line 20.

Strike: "design"

Insert: "environment"

6. Page 2, line 16.

Strike: "design"

Insert: "environmental plan"

7. Page 2, line 18.

Following: "architect,"

Insert: "and"

8. Page 2, lines 18 and 19.

Strike: ", and" on line 18 through "architect" on line 19

9. Page 2, line 25.

Following: "the"

Strike: "design"

Insert: "environmental"

Following: "because"

Strike: "design"

10. Page 3, line 1.

Strike: "involves"

Insert: "environmental standards involve"

11. Page 3, line 8.

Strike: "standards of design, maintenance,"

Insert: "environmental standards and standards of maintenance"

12. Page 3, line 20.

Following: line 19

Insert: "(3) "Environmental standards" means specific standards for the jail or lockup environment, including but not limited to the number of square feet per inmate and the air temperature in cells and other rooms."

Renumber: subsequent subsections

13. Page 7, line 20.

Strike: "Design"

Insert: "Environmental"

14. Page 11, line 7.

Strike: "may"

Insert: "shall"

And, as amended, do pass. Report adopted.

HB 71, introduced bill, do pass. Report adopted.

HB 148, introduced bill, be amended as follows:

1. Page 1, line 17.

Strike: "Approved monitoring"

Insert: "Monitoring"

2. Page 1, lines 18 and 19.

Following: "apparatus" on line 18

Strike: remainder of line 18 through "institutions," on line 19

3. Page 1, line 22 through page 2, line 2.

Following: "intrusive." on line 22

Strike: remainder of line 22 through "home." on page 2, line 2

4. Page 2, line 5.

Following: "area"

Insert: "approved by the supervising authority"

5. Page 2, lines 5 through 8.

Following: "area."

Strike: remainder of line 5 through "." on line 8

6. Page 2, line 15.

Following: "means"

Insert: ", in the case of an adult felon,"

7. Page 2, lines 15 and 16.

Following: "means the" on line 15

Strike: remainder of line 15 through "bureau of the" on line 16

8. Page 2, line 17.

Following: "institutions"

Insert: "; in the case of an adult misdemeanor, a court-approved entity
other than the corrections division of the department of
institutions;"

9. Page 3, lines 15 through 17.

Following: "(a)" on line 15

Strike: remainder of line 15 through "officer;" on line 17

Insert: "refer the case to the appropriate supervising authority for approval
and acceptance into the home arrest program. The supervising
authority may accept or reject any referral."

10. Page 3, lines 20 and 21.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

11. Page 3, line 22 through page 4, line 1.

Following: "(d)" on line 22

Strike: remainder of line 22 through "determines" on page 4, line 1

Insert: "order a term of home arrest in lieu of a sentence of imprisonment
in the county jail or state prison"

12. Page 4, line 7.

Strike: "reimprisonment"

Insert: "imprisonment"

13. Page 4, line 23.

Strike: "supervising authority"

Insert: "clerk of the sentencing court"

14. Page 4, line 25 through page 5, line 1.

Following: "(1)" on line 25

Strike: remainder of line 25 through "include" on page 5, line 1

Insert: "A home arrestee must be confined to his home under conditions
imposed by the sentencing court, which may include but are not
limited to"

15. Page 5, line 13.

Strike: "or"

16. Page 5, line 15.

Strike: "."

Insert: "; or"

17. Page 5, lines 16 and 17.

Strike: subsection (b) in its entirety

18. Page 5, line 18.

Strike: "(c)"

Insert: "(vii)"

Strike: "The home arrestee shall conform"

Insert: "conforming"

19. Page 5, line 22.

Strike: "(d)"

Insert: "(b)"

20. Page 5, line 24.

Strike: "(e)"

Insert: "(c)"

21. Page 6, line 2.

Strike: "(f)"

Insert: "(d)"

22. Page 6, line 5.

Strike: "(g)"

Insert: "(e)"

Strike: "Any other reasonable conditions may be"

Insert: "Conditions"

23. Page 6, line 6.

Strike: ", including"

Insert: "may include"

24. Page 6, line 16.

Following: line 15

Insert: "(3) Violation of the provisions of any condition of home arrest may subject the home arrestee to prosecution under 45-7-306."

25. Page 22, lines 14, 15, 22, and 24.

Page 23, line 10.

Following: "jail"

Insert: "imprisonment"

26. Page 22, line 17.

Page 23, line 1.

Page 25, line 22.

Page 26, line 2.

Strike: "Except as provided in subsection (7), on"

Insert: "On"

27. Page 22, lines 21 and 22.

Strike: "Except" on line 21 through "3" on line 22

Insert: "Three"

28. Page 23, lines 6 and 7.

Strike: "Except" on line 6 through "notwithstanding" on line 7

Insert: "Notwithstanding"

29. Page 25, line 13.

Page 27, line 13.

Following: "served"

Insert: "by imprisonment"

30. Page 25, lines 17 and 18.

Strike: "Except" on line 17 through "a" on line 18

Insert: "A"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/19/91

SB 3, introduced by Nathe

SB 36, introduced by Rea

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 273, introduced by O'Keefe, Waterman, Harper, J. Brown, J. Rice, Foster, Rea, Thayer, Grady, Koehnke, referred to Committee on Appropriations

HB 274, introduced by Strizich, Nisbet, Bachini, Galvin, Wyatt, J. Brown, Connelly, Davis, Phillips, Lee, referred to Committee on State Administration

HB 275, introduced by Strizich, referred to Committee on Judiciary

HB 276, introduced by Strizich, referred to Committee on Judiciary

HB 277, introduced by Steppler, L. Nelson, referred to Committee on Agriculture, Livestock, and Irrigation

HB 278, introduced by Gilbert, referred to Committee on Appropriations

HB 279, introduced by Schye, Gilbert, referred to Committee on Business and Economic Development

HB 280, introduced by Thomas, Driscoll, Svrcek, Thayer, Benedict, Squires, Wanzenried, Lynch (by request of the Governor), referred to Committee on Labor and Employment Relations

HB 281, introduced by Stickney, Squires, Messmore, Menahan, Jacobson, Hager, Dowell, Boharski, referred to Committee on Human Services and Aging

HB 282, introduced by L. Nelson, Hansen, Barnett, Larson, Cody, R. DeBruycker, Spring, M. Hanson, Bradley, McCaffree, Harper, O'Keefe, Weeding, Squires, Nathe, J. Rice, referred to Committee on Taxation

HB 283, introduced by Wallin, Koehnke, Knox, referred to Committee on State Administration

HB 284, introduced by Foster, J. Rice, Whalen, Toole, Mercer, referred to Committee on Judiciary

HB 285, introduced by Schye, referred to Committee on Local Government

HB 286, introduced by Strizich, Pinsoneault, referred to Committee on Judiciary

The following Senate bills were introduced, read first time, and referred to committee:

SB 3, introduced by Nathe, referred to Committee on Agriculture, Livestock, and Irrigation

SB 36, introduced by Rea (by request of the Department of Commerce), referred to Committee on Agriculture, Livestock, and Irrigation

MOTIONS

Representative Driscoll moved to postpone consideration to a day certain HB 72 and HB 103, which are on second reading this date. Motion carried.

Representative Gilbert moved additional sponsors be added to HB 91. Motion carried.

Representative Kimberley moved HB 46 be changed to reflect Representative Galvin as chief sponsor. Motion carried.

Representative Bachini moved HB 252 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Judiciary. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 22 - Representative Cody moved HB 22 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Clark.
Total 1

Excused: M. Hanson, Lee.
Total 2

Absent or not voting: McCulloch.
Total 1

HB 24 - Representative Cody moved HB 24 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Barnhart, Becker, R. Johnson, Measure.
Total 4

Excused: M. Hanson, Lee.
Total 2

Absent or not voting: None.
Total 0

HB 32 - Representative Connelly moved HB 32 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Cohen, R. DeBruycker, Kadas.

Total 4

Excused: M. Hanson, Lee.

Total 2

Absent or not voting: None.

Total 0

HB 39 - Representative Peck moved HB 39 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Barnett, Bergsagel, Clark, Wallin.

Total 4

Excused: M. Hanson, Lee.

Total 2

Absent or not voting: None.

Total 0

HB 58 - Representative Driscoll moved HB 58 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: M. Hanson, Lee.

Total 2

Absent or not voting: Bardanouve.

Total 1

HB 82 - Representative Stang moved HB 82 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: D. Brown, J. DeBruycker, Grinde, T. Nelson, Peck, Southworth, Spring, Swysgood.

Total 8

Excused: M. Hanson, Lee.

Total 2

Absent or not voting: Stickney.

Total 1

HB 84 - Representative Stang moved HB 84 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bachini, Galvin, Peck, Southworth.

Total 4

Excused: M. Hanson, Lee.

Total 2

Absent or not voting: H. S. Hanson, Keller, Phillips.

Total 3

HB 91 - Representative Gilbert moved HB 91 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cobb, Peterson, J. Rice.

Total 3

Excused: M. Hanson, Lee.

Total 2

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (97-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 16 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson,

Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Benedict, Clark, Cobb, M. Hanson, L. Nelson, Steppler, Thomas.
Total 7

Voted Absentee: M. Hanson, No.

Excused: Lee, Peck.
Total 2

Absent or not voting: S. J. Hansen, R. Johnson.
Total 2

HB 23 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bardanouve, Driscoll, O'Keefe.
Total 3

Excused: M. Hanson, Lee, Peck.
Total 3

Absent or not voting: None.
Total 0

HB 38 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas,

Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bachini, Grinde, Stepler, Swysgood.

Total 4

Excused: M. Hanson, Lee, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 55 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 83

Noes: Boharski, Clark, Connelly, Driscoll, Elliott, Ellison, Foster, H. S. Hanson, Kasten, Peterson, Phillips, Scott, Tunby, Zook.

Total 14

Excused: M. Hanson, Lee, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 89 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney,

Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Foster, Grinde.
Total 2

Excused: M. Hanson, Lee, Peck.
Total 3

Absent or not voting: Harrington.
Total 1

HB 98 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: M. Hanson, Lee, Peck.
Total 3

Absent or not voting: None.
Total 0

HB 132 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Clark, R. DeBruycker, Simpkins.

Total 4

Excused: M. Hanson, Lee, Peck.

Total 3

Absent or not voting: Harrington.

Total 1

SB 5 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Driscoll, Elliott, Raney.

Total 3

Excused: M. Hanson, Lee, Peck.

Total 3

Absent or not voting: None.

Total 0

SJR 4 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney,

Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb.
Total 1

Excused: M. Hanson, Lee, Peck.
Total 3

Absent or not voting: None.
Total 0

HB 48 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: L. Nelson.
Total 1

Excused: M. Hanson, Lee, Peck.
Total 3

Absent or not voting: Beck.
Total 1

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 287, introduced by Darko, Strizich, Harrington, Yellowtail, Russell, referred to Committee on Taxation

HB 288, introduced by Strizich, referred to Committee on State Administration

HB 289, introduced by Benedict, referred to Committee on Judiciary

HB 290, introduced by Benedict, referred to Committee on Local Government

HB 291, introduced by Benedict, referred to Committee on Judiciary

HB 292, introduced by Benedict, referred to Committee on Judiciary
HB 293, introduced by Grinde, referred to Committee on State Administration
HB 294, introduced by Grinde, referred to Committee on State Administration
HB 295, introduced by Benedict, referred to Committee on Local Government
HB 296, introduced by Benedict, referred to Committee on Local Government
HB 297, introduced by Spring (by request of the Insurance Commissioner), referred to Committee on Business and Economic Development
HB 298, introduced by Cobb (by request of the Department of Administration), referred to Committee on Appropriations
HB 299, introduced by S. Rice, referred to Committee on Human Services and Aging
HB 300, introduced by O'Keefe, Aklestad (by request of the Department of State Lands), referred to Committee on Appropriations
HB 301, introduced by Wanzonried (by request of the Department of Justice), referred to Committee on Highways and Transportation
HB 302, introduced by Cocchiarella, Van Valkenburg, referred to Committee on Judiciary
HB 303, introduced by Bradley, Bardanouve, Keller, Larson, J. DeBruycker, L. Nelson, Elliott, Cobb, referred to Committee on Judiciary

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 91: Swysgood, Grinde, Raney, Grady, Phillips, Ellison, Gould, Steppler, Harper, Quilici, O'Keefe, Menahan, J. Johnson, Ream, Weeding, Devlin, Harp, Anderson, Burnett, Grosfield, Franklin.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Harper introduced this week's pages:

Morgan Brooke, Missoula
Andy Goodman, Great Falls
Kari Ham, Laurel
Jeff Jensen, Dillon
Rochelle Thompson, Ashland
Geo Vreman, Foreign Exchange Student from Holland, residing in Helena for one year
Heather Wagner, Brockton
Lisa Wolcheski, Bigfork

Representative Driscoll moved the House adjourn until 1:30 p.m., Tuesday, January 22, 1991. Motion carried.

House adjourned at 2:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 22, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Messmore. Pledge of Allegiance to the Flag.

Roll call. All members present except Thomas, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eleventh legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/22/91
Correctly printed: HB 26, HB 70, HB 71, HB 148, HB 209.
Correctly engrossed: HB 22, HB 24, HB 32, HB 39, HB 58, HB 82, HB 84, HB 91.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 1/21/91
HB 171, introduced bill, do pass and be placed on the consent calendar.
Report adopted.
HB 207, introduced bill, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 1/22/91
HB 223, introduced bill, do pass. Report adopted.
SB 45, third reading copy, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 1/21/91
HB 27, introduced bill, be amended as follows:

1. Title, line 4.
Following: "EXEMPT"
Insert: ", IN CERTAIN CIRCUMSTANCES,"
2. Page 2, line 2.
Following: "teacher"
Insert: "who is not employed as a substitute teacher for more than 30 consecutive school days"

And, as amended, do pass. Report adopted.

HB 104, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 1/21/91
HB 101, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "SECURE"

2. Page 4, line 18.

Page 6, line 25.

Strike: "secure"

3. Page 5, line 1.

Page 7, line 8.

Following: "53-1-203."

Insert: "The prerelease center may accept or reject a defendant referred by the sentencing court."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):
HB 161, introduced bill, be amended as follows:

1/21/91

1. Title, lines 8 and 9.

Strike: "A WASTE DISCHARGE"

Insert: "AN"

2. Page 1, line 25.

Strike: "for the purpose of discharging"

Insert: "that involves the placement of"

3. Page 2, line 2.

Strike: "discharge"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/22/91

HB 79, introduced bill, do pass. Report adopted.

HB 158, introduced bill, do pass and be placed on the consent calendar. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/21/91

SB 28, introduced by Williams

SB 37, introduced by Halligan

SB 38, introduced by Halligan

SB 39, introduced by Halligan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 304, introduced by Clark, Stepler, Thomas, Toole, Stang, Foster (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

HB 305, introduced by J. Rice, Driscoll (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations

HB 306, introduced by Barnett, Spring, referred to Committee on Highways and Transportation

HB 307, introduced by Quilici, Van Valkenburg, Messmore, Forrester, Menahan, J. Brown, McCarthy, referred to Committee on Judiciary

HB 308, introduced by Menahan, Daily, Pavlovich, referred to Committee on Business and Economic Development

HB 309, introduced by D. Brown, Connelly, Harper, Bianchi, Bruski, Ellison, Grady, Davis, Forrester, Wallin, G. Beck, Harrington, Peterson, Barnhart, Swift, Ream, Bradley, referred to Committee on Highways and Transportation

HB 310, introduced by Hoffman, Van Valkenburg (by request of the Department of Justice), referred to Committee on Judiciary

HB 311, introduced by Hoffman, Van Valkenburg, referred to Committee on Judiciary

HB 312, introduced by Hoffman, Mazurek, Doherty, Strizich, Nisbet, referred to Committee on Taxation

HB 313, introduced by McCaffree, T. Beck, referred to Committee on Taxation

HB 314, introduced by Davis, referred to Committee on State Administration

HB 315, introduced by Davis, referred to Committee on State Administration

HB 316, introduced by Davis, referred to Committee on State Administration

HB 317, introduced by Davis, referred to Committee on Education and Cultural Resources

HB 318, introduced by Kadas, Cobb, Pavlovich, Svrcek, Keating, Jergeson (by request of the Legislative Audit Committee), referred to Committee on State Administration

HB 319, introduced by Toole, Halligan, J. Rice, Brooke, Strizich (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 320, introduced by Toole, Halligan, J. Rice, Brooke, Strizich (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

HB 321, introduced by Ream, B. Brown, referred to Committee on Taxation

HB 322, introduced by Simpkins, referred to Committee on Education and Cultural Resources

HB 323, introduced by Driscoll, O'Keefe (by request of the Public Employees' Retirement Board), referred to Committee on State Administration

HB 324, introduced by Dowell, Whalen, Doherty, Southworth, G. Beck, McCulloch, referred to Committee on State Administration

HB 325, introduced by Simpkins, referred to Committee on Human Services and Aging

HB 326, introduced by Thomas, Nathe, Harper, Driscoll, Phillips, Mazurek, referred to Committee on Human Services and Aging

HB 327, introduced by Schye, referred to Committee on Highways and Transportation

HB 328, introduced by Cobb, Jergeson, Grinde, Kadas, Keating, Pavlovich, Srcek (by request of the Legislative Audit Committee), referred to Committee on Local Government

HB 329, introduced by Dolezal, Doherty, J. Johnson, J. Brown (by request of the Board of Cosmetologists), referred to Committee on Business and Economic Development

HJR 10, introduced by Peterson, referred to Committee on Natural Resources

The following Senate bills were introduced, read first time, and referred to committee:

SB 28, introduced by Williams, referred to Committee on Labor and Employment Relations

SB 37, introduced by Halligan (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

SB 38, introduced by Halligan (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

SB 39, introduced by Halligan (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 99 - Representative Stang moved HB 99 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, J. Rice, Russell, Schye, Scott, Simpkins, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.

Total 76

Noes: Bachini, Barnhart, Brooke, Cohen, Daily, Davis, Dowell, S. J. Hansen, Kadas, Measure, Menahan, L. Nelson, Peck, Peterson, Ream, S. Rice, Southworth, Spring, Squires, Thoft, Wanzenried, Wyatt.

Total 22

Excused: Thomas.

Total 1

Absent or not voting: Connelly.

Total 1

HB 107 - Representative Measure moved HB 107, second reading copy, be amended as follows (amendment #1):

1. Page 2, lines 8 through 11.

Strike: "The person authorized to issue the license may not recognize a certificate of completion issued to a person who was under 11 years of age at the time of issuance."

2. Page 3, lines 10 and 11.

Strike: "11 years of age or older"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: R. DeBruycker, Grinde.

Total 2

Excused: Thomas.

Total 1

Absent or not voting: Boharski.

Total 1

Representative Daily moved consideration of HB 107 be passed for the day.
Motion carried.

HB 111 - Representative Cody moved HB 111 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison,

Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Thomas.

Total 1

Absent or not voting: None.

Total 0

HB 114 - Representative D. Brown moved HB 114 do pass.

Representative D. Brown made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved HB 114, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 9.

Strike: "AND"

2. Page 2, line 13.

Strike: " _ "

Insert: "; and"

3. Page 2, line 14.

Following: line 13

Insert: "(e) any judge or justice before whom the person appeared for any reason in relation to a charge of having committed a criminal offense."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott,

Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Clark, R. DeBruycker, Measure.
Total 3

Excused: Thomas.
Total 1

Absent or not voting: Thoft.
Total 1

Representative D. Brown moved HB 114, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Measure.
Total 1

Excused: Thomas.
Total 1

Absent or not voting: Thoft.
Total 1

HB 119 - Representative Ream moved HB 119 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice,

Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Clark, Cobb, Elliott, McCaffree, Peterson, Scott, Steppler, Swysgood.
Total 9

Excused: Thomas.
Total 1

Absent or not voting: Harrington, McCulloch, Thoft.
Total 3

HB 120 - Representative Hayne moved HB 120 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, Clark, Cobb, Cody, Darko, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, S. Rice, Schye, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.
Total 54

Noes: Bardanouve, Barnhart, Beck, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Mr. Speaker.
Total 45

Voted Absentee: Thomas, Aye.

Excused: None.
Total 0

Absent or not voting: McCaffree.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (89-7)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/22/91

Correctly printed: HB 79, HB 104, HB 158, HB 207.

Correctly engrossed: HB 171.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 330, introduced by Cohen, referred to Committee on State Administration

HB 331, introduced by Kilpatrick, referred to Committee on Business and Economic Development

HB 332, introduced by Kadas, referred to Committee on Taxation

HB 333, introduced by Brooke, Thoft, D. Brown, Harrington, Strizich, Wanzenried, O'Keefe, Halligan, T. Beck, Lee, G. Beck, Larson (by request of the Department of Institutions), referred to Committee on Judiciary

HB 334, introduced by Swysgood, referred to Committee on Taxation

HB 335, introduced by J. Johnson, B. Brown, Blaylock, Larson, Thomas, Kimberley, Squires, Davis, Cobb, referred to Committee on Education and Cultural Resources

HB 336, introduced by Simpkins (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations

HB 337, introduced by J. Brown, referred to Committee on State Administration

HB 338, introduced by Ream, Halligan (by request of the Department of Health and Environmental Sciences), referred to Committee on Taxation

HB 339, introduced by Thoft, T. Beck, Gage, Anderson, Devlin, Keating, Harding, Bruski, Grosfield, Rea, Williams, Peck, Bardanouve (by request of the Department of Institutions), referred to Committee on Labor and Employment Relations

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 37: Pinsoneault, Rea, Bruski, Mercer, Larson, Yellowtail, Koehnke, Harding, L. Nelson.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Wednesday, January 23, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by the Right Reverend Charles I. Jones. Pledge of Allegiance to the Flag.

Roll call. All members present except Whalen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/23/91
Correctly printed: HB 27, HB 101, HB 161, HB 223.
Correctly engrossed: HB 99, HB 111, HB 114, HB 119, HB 120.

FISH AND GAME (Elliott, Chairman): 1/23/91
HB 33, introduced bill, do pass. Report adopted.
HB 149, introduced bill, do pass. Report adopted.
HB 174, introduced bill, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 1/22/91
HB 156, introduced bill, do pass and be placed on the consent calendar.
Report adopted.
HB 167, introduced bill, do pass and be placed on the consent calendar.
Report adopted.
HB 168, introduced bill, do pass. Report adopted.
HB 177, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

Adverse Committee Report

HB 86, do not pass.

JUDICIARY (Strizich, Chairman): 1/23/91
HB 159, introduced bill, be amended as follows:

1. Page 1, line 7.

Following: "PAY"

Insert: "STANDARD PREVAILING WAGES OR"

2. Page 1, line 12.

Following: "pay"

Insert: "standard prevailing wages or"

3. Page 1, line 13.

Strike: "loses a"

Insert: "submitted the next lowest valid"

4. Page 1, line 16.

Following: "not"

Insert: "pay standard prevailing wages, as required by Title 18, chapter 2,
part 4, does not"

5. Page 1, line 19.

Following: "39-71-401."

Insert: "If the bids are sealed or for any other reason kept confidential, the person who solicited the bids shall, on request by a bidder who indicates an intent to sue under this section, inform the bidder of the identity of the next lowest valid bidder after the successful bidder. A bidder so informed shall keep the identity of the next lowest valid bidder confidential if he does not sue. The measure of damages is the same as in a contract action by an unsuccessful bidder against a person who wrongfully awards a contract to another bidder."

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 1/22/91
HB 28, introduced bill, be amended as follows:

1. Title, lines 4 through 8.

Following: "TO" on line 4.

Strike: "ELIMINATE THE REQUIREMENT"

Insert: "REQUIRE"

Following: "SPECIFICATIONS" on line 5.

Insert: "INCLUDE A STATEMENT REQUIRING PAYMENT OF THE PREVAILING WAGE DEVELOPED BY THE COMMISSIONER OF LABOR AND INDUSTRY"

Following: "AND" on line 5.

Insert: "THAT"

Following: "18-2-403" on line 7.

Insert: ", 18-2-422,"

Following: "MCA;"

Strike: the remainder of line 7 through "MCA;" on line 8.

2. Page 2, line 21.

Following: line 20.

Insert: "(5) Failure to include the provisions required by 18-2-422 in a public works contract relieves the contractor from his obligation to pay the standard prevailing wage rate and places the obligation on the public contracting agency.

Section 2. Section 18-2-422, MCA, is amended to read:

"18-2-422. Bid specification ~~and contract~~ to contain prevailing wage rate provision -- wage rates included in contract. All bid specifications ~~and contracts~~ for public works projects must contain a provision stating for each job classification statement requiring, for each job classification, payment of the prevailing wage rate as developed by the commissioner, including fringe benefits, that the contractors and subcontractors must pay during construction of the project. The prevailing wage rate must be included as a contractual provision in all contracts let for public works projects."

Renumber: subsequent sections

3. Page 2, lines 22 through 25.

Following: "records."

Strike: the remainder of line 22 through line 24.

Insert: "The"

Following: "department" on line 25

Strike: "may"

Insert: "shall"

And, as amended, do pass. Report adopted.

HB 68, introduced bill, do pass. Report adopted.

HB 140, introduced bill, be amended as follows:

1. Title, line 6.

Following: "IN"

Strike: "COMMUNICATIONS"

Insert: "NEGOTIATIONS"

2. Title, lines 7 and 8.

Following: "TO" on line 7.

Insert: "FIRST"

Following: "SUPERVISOR" on line 8.

Insert: "AND DEPARTMENT DIRECTOR IN WRITING"

3. Page 2, line 9.

Strike: "communications"

Insert: "negotiations"

4. Page 2, line 11.

Following: "first"

Strike: "notifying"

Insert: "giving written notification to"

Following: "supervisor"

Insert: "and department director"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

1/22/91

HB 64, introduced bill, be amended as follows:

1. Title, line 6.

Following: "APPOINT"

Insert: "UP TO"

2. Page 1, line 23.

Following: "board"

Strike: "consists"

Insert: "must consist"

Following: "~~three~~"

Insert: "three to"

3. Page 1, line 25.

Following: "staggered"

Strike: ", with the term of one of"

Insert: "so that no fewer than one and no more than two board members complete a term in any 1 year. The term of each board member is

thereafter 3 years, ending on June 30. A board member may not serve more than two full terms in succession."

4. Page 2, lines 1 through 11.

Strike: lines 1 through 11 in their entirety.

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/23/91

HB 225, introduced bill, do pass. Report adopted.

HB 243, introduced bill, do pass and be placed on the consent calendar. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

1/22/91

HB 15, introduced by Cody

HB 19, introduced by Harper

HB 78, introduced by Cody

Senate bills passed and transmitted to the House for concurrence:

1/22/91

SB 6, introduced by Mazurek

SB 15, introduced by Gage

SJR 1, introduced by Mazurek

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 340, introduced by Ream, B. Brown (by request of the Revenue Oversight Committee), referred to Committee on Taxation

HB 341, introduced by Bradley, Jacobson, J. Brown, Russell, Whalen, Strizich, Svrcek, referred to Committee on Human Services and Aging

HB 342, introduced by Wanzenried, Driscoll, Connelly, Pipinich, referred to Committee on Labor and Employment Relations

HB 343, introduced by J. Johnson, Hammond, Larson, Squires, Davis, Raney, referred to Committee on Education and Cultural Resources

HB 344, introduced by Quilici, Mercer, Pavlovich, Daily, referred to Committee on Judiciary

HB 345, introduced by Quilici, Menahan (by request of the Board of Physical Therapy Examiners), referred to Committee on State Administration

HB 346, introduced by Toole, Doherty, Measure, Driscoll, referred to Committee on Judiciary

HB 347, introduced by Gervais, Gage, Svrcek (by request of the Committee on Indian Affairs), referred to Committee on Education and Cultural Resources

HB 348, introduced by Gervais, Russell, Yellowtail, referred to Committee on Business and Economic Development

HB 349, introduced by Gervais, Russell, Yellowtail, referred to Committee on Appropriations

HB 350, introduced by Pavlovich, Dally, Menahan, Pipinich, Driscoll, Schye, Raney, McCulloch, D. Brown, Fritz, Grady, Kimberley, Kilpatrick, Strizich, Madison, O'Keefe, Southworth, Kadas, Harper, Hansen, Dowell, Towe, Franklin, Wallin, Scott, referred to Committee on Human Services and Aging

HB 351, introduced by Cohen, Harper, Raney, B. Brown, O'Keefe, Measure, referred to Committee on Natural Resources

HB 352, introduced by Raney, Doherty, referred to Committee on Highways and Transportation

HB 353, introduced by Strizich, Blaylock, Whalen, Doherty, O'Keefe, Nisbet, Harper, B. Brown, Mazurek (by request of the Secretary of State), referred to Committee on Judiciary

HB 354, introduced by Schye, referred to Committee on Local Government

HB 355, introduced by O'Keefe, B. Brown, Elliott, S. Rice, Stickney, Jergeson, Keating, referred to Committee on Human Services and Aging

HB 356, introduced by G. Beck, Dolezal, Driscoll, Southworth, Madison, McCulloch, Galvin, referred to Committee on Labor and Employment Relations

HB 357, introduced by Thomas, Driscoll, B. Brown, Lynch, referred to Committee on State Administration

HB 358, introduced by Thomas, Benedict, Clark, R. Johnson, Fagg, T. Nelson, R. DeBruycker, Messmore, Hoffman, Foster, Kasten, Simpkins, referred to Committee on State Administration

HB 359, introduced by Harper, O'Keefe, Cobb, referred to Committee on Fish and Game

HB 360, introduced by Harper, Thoft, referred to Committee on Natural Resources

HB 361, introduced by Harper, Thoft, referred to Committee on Natural Resources

HB 362, introduced by M. Hanson, Hoffman, J. Rice, Zook, Rye, Bruski, Weeding, Nathe, Thomas, referred to Committee on Business and Economic Development

HB 363, introduced by Gould, referred to Committee on Education and Cultural Resources

HB 364, introduced by Grady, Keller, J. Rice, Ellison, Burnett, Whalen, Darko, Schye, Wyatt, J. Brown, Weeding, D. Brown, Rea, Jergeson, T. Beck, Yellowtail, Grosfield, Manning, Williams, Anderson, referred to Committee on Judiciary

HB 365, introduced by Swysgood, Koehnke, B. Brown, T. Beck, Harding, Pinsonault, Mercer, Bradley, Connelly, Cody, Spring, G. Beck, Barnett, Davis, Wallin, Measure, Kennedy, Harp, Dowell, Anderson, referred to Committee on Appropriations

HB 366, introduced by Russell, referred to Committee on Human Services and Aging

HB 367, introduced by J. Brown, J. Rice, Phillips, Grady, S. Rice, Franklin, Wyatt, O'Keefe, Harper, Simpkins, Strizich, Galvin, Dolezal, Nisbet, Waterman, Messmore, Doherty, Mazurek, referred to Committee on Business and Economic Development

HB 368, introduced by O'Keefe, J. Brown, referred to Committee on Fish and Game

HB 369, introduced by Toole, Jacobson, Waterman, Becker, referred to Committee on Appropriations

HB 370, introduced by Keller, referred to Committee on Appropriations

HJR 11, introduced by Knox, Williams, Weeding, referred to Committee on Local Government

The following Senate bills were introduced, read first time, and referred to committee:

SB 6, introduced by Mazurek, referred to Committee on Judiciary

SB 15, introduced by Gage, referred to Committee on Taxation

SJR 1, introduced by Mazurek, referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Raney in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 145 - Representative Grady moved HB 145 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bergsagel, Cody, J. Johnson, Kasten, L. Nelson, Phillips, Scott, Stang, Steppler, Swysgood, Thoft, Wallin.

Total 12

Excused: Whalen.

Total 1

Absent or not voting: Bardanouve, Cobb.

Total 2

HB 153 - Representative Ream moved HB 153 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: None.
Total 0

Absent or not voting: Barnhart.
Total 1

HB 176 - Representative Mercer moved HB 176, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 5.
Following: "certificate"
Strike: remainder of line 5 through end of line 6
Insert: ", \$5, and for each certified copy of a death certificate, \$3;"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Boharski, Cromley, Galvin, Stickney.
Total 4

Excused: Whalen.
Total 1

Absent or not voting: None.
Total 0

Representative T. Nelson moved HB 176, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Bradley, J. Brown, Clark, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bachini, Beck, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cohen, Connelly, R. DeBruycker, Dowell, Driscoll, Feland, Kasten, Kilpatrick, Measure, Menahan, O'Keefe, Phillips, Simpkins, Stang, Steppler, Swysgood, Thoft.
Total 24

Excused: Whalen.
Total 1

Absent or not voting: None.
Total 0

HB 181 - Representative Larson moved HB 181 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Forrester, Galvin, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Bergsagel, Boharski, Clark, Cobb, Cody, R. DeBruycker, Elliott, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, Kasten, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peterson,

Phillips, J. Rice, Scott, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Zook.
Total 34

Voted Absentee: Whalen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 9 - Representative Kasten moved SB 9 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, J. DeBruycker, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 86

Noes: Connelly, Davis, Dolezal, Driscoll, Elliott, S. J. Hansen, Kadas, McCulloch, O'Keefe, Peck, Wyatt, Mr. Speaker.
Total 12

Excused: Whalen.
Total 1

Absent or not voting: R. DeBruycker.
Total 1

HB 26 - Representative Cody moved HB 26 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Whalen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 79 - Representative L. Nelson moved HB 79 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, J. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Schye, Simpkins, Spring, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 58

Noes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Gervais, Gilbert, Grinde, J. Johnson, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Raney, Ream, Russell, Scott, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Mr. Speaker.
Total 40

Excused: Whalen.
Total 1

Absent or not voting: Wyatt.
Total 1

HB 104 - Representative J. Johnson moved HB 104 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream,

J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 81

Noes: Barnett, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Gould, Hayne, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Wallin, Wyatt.
Total 18

Voted Absentee: Whalen, Aye.

Excused: None.
Total 0

Absent or not voting: S. J. Hansen.
Total 1

HB 107 - Representative J. Johnson moved consideration of HB 107 be passed for the day. Motion carried.

HB 207 - Representative Barnett moved HB 207 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 91

Noes: Brooke, Elliott, Measure, Peck, Ream, Scott, Stang, Wyatt.
Total 8

Excused: Whalen.
Total 1

Absent or not voting: None.
Total 0

HB 209 - Representative Wallin moved HB 209 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Whalen.

Total 1

Absent or not voting: Gervais, S. Rice.

Total 2

SB 45 - Representative Larson moved SB 45 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Raney moved the adoption of the committee report. Report adopted. (97-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 22 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Larson, Peck.

Total 2

Excused: Whalen.

Total 1

Absent or not voting: Gervais, Pavlovich.

Total 2

HB 24 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Barnhart, Becker, Dowell, R. Johnson, Kadas, Measure, Ream.

Total 7

Voted Absentee: Whalen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 32 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: R. DeBruycker, Larson, L. Nelson, Toole.

Total 4

Excused: Whalen.

Total 1

Absent or not voting: S. Rice.

Total 1

HB 39 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Barnett, Clark, Wallin.

Total 3

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 58 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Whalen, Aye.

Excused: None.

Total 0

Absent or not voting: Barnhart.

Total 1

HB 82 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bachini, Cody, J. DeBruycker, Grinde, Measure, L. Nelson, Peck, Southworth, Spring, Swysgood.

Total 10

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 84 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 93

Noes: Bachini, Brooke, Galvin, Peck, Southworth, Wyatt.

Total 6

Excused: Whalen.

Total 1

Absent or not voting: None.

Total 0

HB 91 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Mr. Speaker.
Total 92

Noes: D. Brown, Cobb, J. DeBruycker, Peterson, J. Rice, Zook.

Total 6

Excused: Whalen.

Total 1

Absent or not voting: Wanzenried.

Total 1

MOTIONS

Representative Daily moved HB 120 be taken from engrossing and rereferred to the Committee on Judiciary. Motion failed.

Representative Wanzenried moved HB 158 be removed from the consent calendar and rereferred to the Committee on State Administration. Motion carried.

Representative J. Johnson moved HB 107 be taken from the second reading board and rereferred to the Committee on Fish and Game. Motion carried.

Representative Peck moved HB 145 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Davis moved HB 314 be changed to reflect Representative Russell as chief sponsor. Motion carried.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

1/23/91

HB 53, introduced bill, be amended as follows:

1. Page 2, line 3.

Strike: "\$10"

Insert: "\$7"

2. Page 2, line 5.

Strike: "\$30"

Insert: "\$20"

3. Page 2, line 7.

Strike: "\$40"

Insert: "\$25"

4. Page 2, line 8.

Strike: "\$50"

Insert: "\$30"

5. Page 2, line 9.

Strike: "\$6"

Insert: "\$4"

6. Page 2, line 11.

Strike: "\$40"

Insert: "\$25"

7. Page 2, line 13.

Strike: "\$40"

Insert: "\$25"

Strike: "\$8"

Insert: "\$5"

And, as amended, do pass. Report adopted.

HB 248, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "LIFE INSURANCE AND"

2. Page 16, lines 11 through 15.

Following: "state." on line 11

Strike: "This" on line 11 through "securities." on line 15

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 157, do not pass.

JUDICIARY (Strizich, Chairman):

1/23/91

HB 163, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HB 178, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HB 194, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "MAY"

Insert: "SHALL"

2. Page 3, line 21.

Following: "is"

Insert: "determined by the court to be"

3. Page 3, line 22.

Strike: "may"

Insert: "shall"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

HJR 9, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/23/91

HB 138, introduced bill, be amended as follows:

1. Page 2, line 17.

Following: "10-4-101,"

Strike: "and"

2. Page 2, line 18.

Following: "units"

Insert: ", and is certified under [section 3]"

3. Page 3, line 16.

Following: "appointed"

Insert: "to receive requests for emergency services, as defined in 10-4-101,
and dispatch the appropriate emergency service units be certified
by the board"

4. Page 3, lines 17 and 18.

Following: "officer"

Strike: "be certified by the board"

5. Page 3, line 20.

Following: "officers"

Insert: "as provided in [section 2]"

6. Page 5, line 24.

Following: "10-4-101,"

Strike: "and"

7. Page 5, line 25.

Following: "units"

Insert: ", and is certified under [section 3]"

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

1/23/91

HB 193, introduced bill, be amended as follows:

1. Page 2, line 15.

Strike: "taxable years beginning"

Insert: "estates in which the date of death is"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 371, introduced by Menahan, J. Rice, Messmore, Lee, Waterman, T. Nelson, Wyatt, Toole, Stickney, Quilici, Russell, L. Nelson, Forrester, referred to Committee on Appropriations

HB 372, introduced by Gould (by request of the Public Employees' Retirement Board), referred to Committee on State Administration

HB 373, introduced by O'Keefe, Cocchiarella, Barnhart, Becker, Clark, Harper, J. Brown, Pavlovich, Grady, J. Rice, Madison, Southworth, Thomas (by request of the Public Employees' Retirement Board), referred to Committee on State Administration

SPECIAL ORDERS OF THE DAY

The following sponsor was removed from HB 343: Hammond.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Thursday, January 24, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 24, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend Bob Holmes. Pledge of Allegiance to the Flag.

Roll call. All members present except Bardanouve, Bradley, Cromley, Swysgood, Thoft, Whalen, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twelfth and thirteenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/24/91

Correctly printed: HB 28, HB 53, HB 64, HB 138, HB 140, HB 159, HB 193, HB 248, HJR 9.

Correctly engrossed: HB 26, HB 79, HB 104, HB 153, HB 156, HB 163, HB 167, HB 176, HB 177, HB 178, HB 181, HB 194, HB 207, HB 209, HB 243, SB 9, SB 45.

Signed by the Speaker at 11:00 a.m., 1/24/91: SB 5, SJR 4.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

1/24/91

HB 224, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AND"

2. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 5, line 2.

Following: line 1

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 1/23/91

HB 208, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

JUDICIARY (Strizich, Chairman):

1/24/91

HB 191, introduced bill, do pass. Report adopted.

HB 211, introduced bill, do pass. Report adopted.

HB 221, introduced bill, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

1/24/91

HB 139, introduced bill, do pass. Report adopted.

HB 160, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "25%"

Strike: "source"

Insert: "waste"

2. Page 2, line 17.

Following: line 16

Insert: "(4) "Postconsumer material" means only those products generated by a consumer that have served their intended end uses and have been separated or diverted from the solid waste stream.

(5) "Preconsumer material" means rejected stock, obsolete inventories, or other paper waste created by the mill or by conversion operations and that has not been sold to consumers.

(6) "Recycled material" means material consisting entirely of postconsumer and preconsumer material and of which at least 50% is postconsumer material."

Renumber: subsequent subsections

3. Page 2, line 20.

Following: "resale;"

Strike: "and"

4. Page 2, line 22.

Following: "products"

Insert: "; and the purchase of products containing recycled material"

5. Page 3, line 8.

Following: "by"

Insert: "at least"

6. Page 4, line 8.

Strike: "."

Insert: "; and"

7. Page 7, line 8.

Following: "for"

Insert: "reducing,"

8. Page 4, line 9.

Following: line 8

Insert: "(c) apply computer technology to reduce the generation of waste paper through:

(i) the use of electronic bulletin boards;

(ii) the transfer of information in electronic rather than paper form; and

(iii) other applications of computer technology."

9. Page 9, line 14.

Following: "collection"

Strike: "and"

Insert: ", "

Following: "disposal"

Insert: ", reduction, and educational"

10. Reoutline section 5 as follows:

Page 3, line 20.

Following: "program."

Insert: "(1)"

Pages 3 and 4.

Redesignate (1) and (2) as (a) and (b)

Page 4, line 8.

Following: "line 8"

Insert: "(2) The plan must be evaluated every 5 years and updated as necessary."

And, as amended, do pass. Report adopted.

HB 162, introduced bill, be amended as follows:

1. Statement of Intent, line 20.

Following: "buildings."

Insert: "The rules must include a procedure for the consideration of requests for variances from the minimum standards and for a variance to be granted if warranted, as determined by the department of health and environmental sciences. The variance procedure must be administered solely by the department of health and environmental sciences."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/24/91

HB 12, introduced bill, be amended as follows:

1. Title, line 6.

Following: "39-73-104,"

Strike: "AND"

Following: "39-73-107,"

Insert: "AND 39-73-109,"

2. Page 3, line 3.

Following line 2

Insert: "Section 4. Section 39-73-109, MCA, is amended to read:

"39-73-109. Payment of benefits to surviving spouse. (1)

Upon the death of a person receiving payments for silicosis under 39-73-104 or 39-73-108, the surviving spouse, as long as such spouse remains unmarried, is entitled to receive the payments granted the deceased spouse.

(2) A person who otherwise is qualified to receive payments under subsection (1) ~~of this section but whose spouse died prior to March 14, 1974, is hereby made eligible to begin receiving one-half of~~ must receive those payments; ~~provided,~~

however, a person is not eligible for these payments if such spouse's his taxable income is \$6,800 or more per year.""

And, as amended, do pass. Report adopted.

HB 205, introduced bill, do pass. Report adopted.

HB 231, introduced bill, do pass. Report adopted.

HB 242, introduced bill, do pass. Report adopted.

HB 244, introduced bill, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 86 - Representative Stang moved the 1/23/91 adverse committee report on HB 86 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: J. DeBruycker, R. DeBruycker, Gilbert, Gould, Stang, Stepler, Thomas.

Total 7

Excused: Bachini, Cromley, Swysgood, Thoft, Whalen.

Total 5

Absent or not voting: Harrington, J. Johnson, Kasten, Measure, Peterson.

Total 5

HB 157 - Representative Bachini moved the 1/23/91 adverse committee report on HB 157 be adopted.

Representative Stickney made a substitute motion the adverse committee report be not adopted and HB 157 be printed and placed on second reading. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Foster, Galvin, Gervais, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye,

Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 65

Noes: Bachini, Barnett, Becker, Benedict, Bergsagel, Clark, Connelly, R. DeBruycker, Ellis, Fagg, Feland, Gilbert, Gould, Grady, H. S. Hanson, Hayne, Keller, Knox, Madison, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin.
Total 33

Excused: Cromley, Whalen.
Total 2

Absent or not voting: None.
Total 0

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:
1/23/91

SB 56, introduced by Yellowtail
SB 59, introduced by Yellowtail
SJR 2, introduced by Halligan

SB 32, introduced by Keating, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, was transmitted on 1/23/91 to the House with the following vote:

YEAS - 7
NAYS - 43

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 374, introduced by J. Rice (by request of the Governor), referred to Committee on Appropriations
HB 375, introduced by Hansen, referred to Committee on Natural Resources
HB 376, introduced by Messmore, Daily, Fagg, Becker, referred to Committee on Human Services and Aging
HB 377, introduced by Raney, Weeding, Harp, T. Beck, Yellowtail, Driscoll, Gilbert (by request of the Environmental Quality Council), referred to Committee on Natural Resources
HB 378, introduced by Pavlovich, Thomas, Ellison, Wallin, M. Hanson, Gilbert, Keller, Hayne, Ellis, McCaffree, Tunby, Simpkins, Kasten, Stang, Driscoll, J. Rice, Phillips, Grinde, Swift, Gould, Daily, Gervais, Strizich, McCarthy, Nathe, Larson, Davis, Menahan, Quilici, Forrester, O'Keefe, Kilpatrick, Mercer, Harrington, Nisbet, Stimatz, Mazurek, Thayer, Devlin,

Burnett, Harp, Tveit, Lynch, Grosfield, Rye, Cody, Williams, B. Brown, referred to Committee on Business and Economic Development

The following Senate bills were introduced, read first time, and referred to committee:

SB 32, introduced by Keating, referred to Committee on Education and Cultural Resources

SB 56, introduced by Yellowtail (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

SB 59, introduced by Yellowtail (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

SJR 2, introduced by Halligan (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Zook in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 70 - Representative Strizich moved HB 70 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Bachini, Barnett, Benedict, Bergsagel, Cobb, Grady, Grinde, M. Hanson, Hayne, Hoffman, Kasten, Knox, McCaffree, L. Nelson, T. Nelson, Peck, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin.
Total 24

Excused: Cromley, Whalen.
Total 2

Absent or not voting: None.
Total 0

HB 71 - Representative Strizich moved HB 71 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Brooke, J. Brown, Clark, Daily, Davis, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Madison, McCaffree, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Zook, Mr. Speaker.
Total 54

Noes: Bardanouve, Barnhart, Beck, Becker, Bradley, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, J. DeBruycker, Dolezal, Driscoll, Feland, Forrester, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Lee, McCarthy, McCulloch, Measure, Menahan, Mercer, Pavlovich, Quilici, Raney, Schye, Scott, Southworth, Stang, Swysgood, Thoft, Toole, Wanzenried, Wyatt.
Total 44

Excused: Cromley, Whalen.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Zook moved the adoption of the committee report. Report adopted. (75-21)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/24/91
Correctly printed: HB 33, HB 149, HB 168, HB 174, HB 225.

JUDICIARY (Strizich, Chairman): 1/24/91
HB 173, introduced bill, be amended as follows:

1. Title, lines 6 through 8.
Strike: "THAT" on line 6 through "MODIFYING" on line 8

2. Title, line 9.
Strike: "3-1-1105,"
Strike: "3-1-1111"
Insert: "3-1-1122"

3. Title, lines 9 and 10.
Strike: "REPEALING" on line 9 through "MCA;" on line 10

4. Page 1, lines 13 through 23.

Strike: section 1 of the bill in its entirety

Renumber: subsequent sections

5. Page 4, lines 2 through 15.

Strike: sections 4 and 5 of the bill in their entirety

Insert: "Section 3. Section 3-1-1122, MCA, is amended to read:

"3-1-1122. Judge's waiver of confidentiality -- hearing made public. The In addition to the public disclosure required under 3-1-1107, 3-1-1121, and 3-1-1123 through 3-1-1126, the commission must allow public access to all papers filed with and testimony and hearings before the commission or masters in a given case if the judge against whom a complaint has been filed waives his right of confidentiality and requests in writing that the proceedings be accessible to the public. Public disclosure of information required under 3-1-1107, 3-1-1121, and 3-1-1123 through 3-1-1126 is not contingent upon a waiver under this section."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 197, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: "increase"

Insert: "by 20%"

2. Page 1, line 20.

Following: line 19

Strike: "a claimant's compensation"

Following: "benefits"

Strike: "by 20%"

Insert: "due a claimant during the period of delay or refusal to pay,"

3. Page 1, line 21.

Strike: "compensation"

4. Page 2, line 1.

Strike: "compensation"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 379, introduced by Brooke, Driscoll, J. Rice, Messmore, T. Beck, Kasten, Strizich, G. Beck (by request of the Department of Institutions), referred to Committee on Judiciary

January 24, 1991

HB 380, introduced by Daily, Pavlovich, Toole, Quilici, Menahan, McCarthy, D. Brown, Harrington, Stimatz, G. Beck, Jacobson, Driscoll, Pipinich, Manning, Lynch, Fritz, T. Beck, Cocchiarella, Larson, O'Keefe, referred to Committee on Natural Resources

HB 381, introduced by Hoffman, Van Valkenburg, referred to Committee on Judiciary

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 99 passed as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Barnhart, Cohen, Davis, J. DeBruycker, Galvin, Measure, Peck, Peterson, Spring, Thoft, Wyatt.
Total 12

Excused: Cromley, Whalen.
Total 2

Absent or not voting: Russell.
Total 1

HB 111 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.

Total 0

Excused: Cromley, Whalen.

Total 2

Absent or not voting: Russell, Southworth.

Total 2

HB 114 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cromley, Whalen.

Total 2

Absent or not voting: McCaffree, Russell.

Total 2

HB 119 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.

Total 84

Noes: Benedict, Bergsagel, Clark, Cobb, Elliott, Ellison, Grinde, McCaffree, L. Nelson, Peterson, Scott, Stepler, Swysgood, Zook.
Total 14

Excused: Cromley, Whalen.
Total 2

Absent or not voting: None.
Total 0

HB 120 passed as follows:

Ayes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, S. Rice, Schye, Simpkins, Spring, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.
Total 57

Noes: Bardanouve, Barnhart, Becker, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Scott, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Whalen, Mr. Speaker.
Total 43

Voted Absentee: ; Cromley, Whalen, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 171 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.

Total 0

Excused: Cromley, Whalen.

Total 2

Absent or not voting: Hayne.

Total 1

SB 9 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Daily, Darko, J. DeBruycker, R. DeBruycker, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.

Total 82

Noes: Cocchiarella, Connelly, Davis, Dolezal, Driscoll, Elliott, S. J. Hansen, Kadas, Kilpatrick, McCulloch, O'Keefe, Peck, Stang, Wyatt, Mr. Speaker.

Total 15

Excused: Cromley, Whalen.

Total 2

Absent or not voting: Barnhart.

Total 1

SB 45 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Cromley, Whalen.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Representative Pavlovich moved HB 350 be taken from the Committee on Human Services and Aging and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative O'Keefe moved HB 273 be taken from the Committee on Appropriations and rereferred to the Committee on Education and Cultural Resources. Motion carried.

Representative Peck moved HB 70 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Bachini moved HB 367 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Local Government. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 77: Clark, Davis, R. DeBruycker, Cocchiarella, Stimatz, Daily, Pavlovich, Burnett, Fritz, J. Rice, G. Beck, Harrington, Grady, Lynch.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Friday, January 25, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 25, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend Dave Orendorff. Pledge of Allegiance to the Flag.

Roll call. All members present except Cromley, Kadas, Peck, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fourteenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/25/91

Correctly printed: HB 12, HB 139, HB 157, HB 160, HB 162, HB 173, HB 191, HB 197, HB 205, HB 211, HB 221, HB 224, HB 231, HB 242, HB 244.

Correctly engrossed: HB 71, HB 208.

Correctly enrolled: HB 15, HB 19, HB 78.

Examined by the sponsor and found to be correct:

HB 15 - Cody

HB 19 - Harper

HB 78 - Cody

Signed by the Speaker at 11:00 a.m., 1/25/91: HB 15, HB 19, HB 78.

LOCAL GOVERNMENT (Wyatt, Chairman): 1/25/91

HB 123, introduced bill, be amended as follows:

1. Title, line 4.

Following: "ALLOWING"

Strike: "LOCAL"

2. Page 2, line 15.

Following: "any"

Strike: "local"

3. Page 2, line 17.

Following: "by"

Strike: "the local"

Insert: "a self-insured"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/25/91

HB 195, introduced bill, do pass. Report adopted.

TAXATION (Harrington, Chairman): 1/25/91

HB 262, introduced bill, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/24/91

SB 48, introduced by Nathe

SB 49, introduced by Waterman

SB 68, introduced by Kennedy

SB 78, introduced by Fritz

SB 81, introduced by Grosfield

SB 89, introduced by B. Brown

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 382, introduced by Swysgood (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources

HB 383, introduced by Raney, Rea, Bradley, referred to Committee on Natural Resources

HB 384, introduced by Ream, B. Brown (by request of the Revenue Oversight Committee), referred to Committee on Taxation

HB 385, introduced by Driscoll (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations

HB 386, introduced by Schye, referred to Committee on Taxation

HB 387, introduced by Davis, Harper, J. Brown, Squires, referred to Committee on Human Services and Aging

HB 388, introduced by Stickney, D. Brown, Strizich (by request of the Commission for Human Rights), referred to Committee on Judiciary

HB 389, introduced by Gould, Yellowtail, Strizich, J. Rice (by request of the Commission for Human Rights), referred to Committee on Human Services and Aging

HB 390, introduced by Ream, Bradley, Bardanouve, Ellison, M. Hanson, Cocchiarella, Gervais, Wyatt, Davis, Russell, Kadas, Yellowtail, referred to Committee on Fish and Game

HB 391, introduced by Darko, Fritz, Halligan, Vaughn, Hansen, Cocchiarella, Schye, Brooke, D. Brown, Raney, referred to Committee on Judiciary

HJR 12, introduced by Grady, Quilici, Driscoll, Forrester, Hoffman, Stang, T. Beck, Harp, Weeding, referred to Committee on Highways and Transportation

The following Senate bills were introduced, read first time, and referred to committee:

SB 48, introduced by Nathe, referred to Committee on Business and Economic Development

SB 49, introduced by Waterman (by request of the Board of Crime Control), referred to Committee on Judiciary

SB 68, introduced by Kennedy (by request of the Board of Pharmacy), referred to Committee on Judiciary

SB 78, introduced by Fritz, Russell, Gervais, Doherty, Yellowtail, Toole, Squires, Strizich, Van Valkenburg, Waterman, Halligan, Cocchiarella, McCulloch, Whalen, Dolezal, referred to Committee on State Administration

SB 81, introduced by Grosfield, Gilbert, Halligan (by request of the Department of Revenue), referred to Committee on Taxation

SB 89, introduced by B. Brown (by request of the Board of Realty Regulation), referred to Committee on Business and Economic Development

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative T. Nelson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 72 - Representative J. Rice moved HB 72 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 101 - Representative Measure moved HB 101, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 17.

Page 7, line 1.

Following: "may"

Insert: ", with the defendant's concurrence,"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 77

Noes: Benedict, Boharski, Clark, R. DeBruycker, Fagg, Gilbert, Grady, Hayne, Hoffman, Knox, Lee, McCaffree, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Zook.
Total 20

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: None.
Total 0

Representative Russell moved HB 101, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Clark, McCaffree, Swysgood.
Total 3

Voted Absentee: Cromley, Aye.

Excused: Kadas, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 102 - Representative Russell moved HB 102 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, R. DeBruycker, Swysgood.

Total 3

Voted Absentee: Cromley, Aye.

Excused: Kadas, Peck.

Total 2

Absent or not voting: D. Brown, Toole.

Total 2

HB 103 - Representative Russell moved HB 103 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Benedict, Bergsagel, Clark, R. DeBruycker, Ellison, Fagg, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, McCaffree, L. Nelson, Peterson, Phillips, Swysgood, Thoft, Thomas.

Total 23

Voted Absentee: Cromley, Aye.

Excused: Kadas, Peck.

Total 2

Absent or not voting: None.

Total 0

HB 27 - Representative Foster moved HB 27 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 96

Noes: Wyatt.

Total 1

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 148 - Representative Toole moved HB 148, second reading copy, be amended as follows (amendment #1):

1. Page 26, line 5.

Page 28, line 5.

Following: "(7)"

Strike: "The"

Insert: "Except for the initial 24 hours of a mandatory 48-hour jail sentence on a second or subsequent offense, the"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: Spring.
Total 1

Representative Mercer moved HB 148, introduced bill, be further amended as follows (amendment #2):

1. Page 26, line 5.

Page 28, line 5.

Following: "(7)"

Strike: "The"

Insert: "Except for the initial 24 hours on a first offense or the initial 48 hours on a second or subsequent offense, the"

Amendment #2 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Connelly, Darko, Dowell, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 55

Noes: Beck, Brooke, D. Brown, Cocchiarella, Cohen, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Forrester, Gervais, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 41

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: Bardanouve.
Total 1

Representative Toole moved HB 148, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,

Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Benedict, R. DeBruycker, Hayne, Menahan, Pavlovich, Southworth, Wallin.

Total 7

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman T. Nelson moved the adoption of the committee report. Report adopted. (94-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 26 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 79 passed as follows:

Ayes: Bardanouve, Barnett, Bergsagel, Boharski, Bradley, J. Brown, Cobb, Cocchiarella, Cody, Connelly, J. DeBruycker, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Quilici, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook, Mr. Speaker.

Total 58

Noes: Bachini, Barnhart, Beck, Becker, Brooke, D. Brown, Clark, Cohen, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Gervais, Gilbert, Grinde, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Raney, Ream, Russell, Southworth, Squires, Stang, Strizich, Toole, Wanzenried.

Total 37

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: Benedict, Wyatt.

Total 2

HB 104 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Bardanouve, Barnett, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Gould, Hayne, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Wyatt.

Total 19

Voted Absentee: Peck, No.

Excused: Cromley, Kadas.
Total 2

Absent or not voting: None.
Total 0

HB 153 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: None.
Total 0

HB 156 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker.
Total 1

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: Ellison, S. Rice.

Total 2

HB 163 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: McCaffree.

Total 1

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 167 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: R. DeBruycker.

Total 1

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 176 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 77

Noes: Bachini, Beck, Boharski, D. Brown, Cohen, R. DeBruycker, Driscoll, Elliott, Feland, Kasten, Lee, Measure, Phillips, Scott, Simpkins, Stang, Stepler, Swysgood, Thoft, Wyatt.

Total 20

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 177 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: R. DeBruycker, Galvin.

Total 2

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: None.

Total 0

HB 178 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: Galvin.
Total 1

HB 181 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Bergsagel, Boharski, Clark, Cobb, Cody, Cohen, R. DeBruycker, Elliott, Ellison, Fagg, Feland, Foster, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, Kasten, McCaffree, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, J. Rice, Scott, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Zook.
Total 35

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: None.
Total 0

HB 194 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker.
Total 1

Excused: Cromley, Kadas, Peck.
Total 3

Absent or not voting: Ellis.
Total 1

HB 207 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 89

Noes: Elliott, McCulloch, O'Keefe, Peck, Scott, Southworth, Stang, Whalen, Wyatt.
Total 9

Voted Absentee: Peck, No.

Excused: Cromley, Kadas.
Total 2

Absent or not voting: None.
Total 0

HB 209 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: Beck.

Total 1

HB 243 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Cromley, Kadas, Peck.

Total 3

Absent or not voting: Beck, Gervais.

Total 2

MOTIONS

Representative Driscoll moved HB 337 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Representative Strizich moved HB 75 be taken from the Committee on Appropriations and rereferred to the Committee on Judiciary. Motion carried.

Representative Bardanouve moved HB 103 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 1/25/91
HB 59, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: ", EXCEPT FOR A RELEASE TO A CRIMINAL JUSTICE AGENCY"

Insert: "; PROVIDING CERTAIN EXCEPTIONS"

2. Page 2, line 2.

Following: "agency"

Insert: ", a representative of the media, or any person or firm having a legitimate purpose as determined by the department with"

And, as amended, do pass. Report adopted.

HB 62, introduced bill, be amended as follows:

1. Title, line 6.

Following: "EQUIPMENT"

Insert: "FOR TRUCKS AND TRUCK TRAILER COMBINATIONS"

2. Page 2, line 24.

Following: line 23

Insert: "for trucks and truck trailer combinations"

3. Page 3, line 2.

Following: "all"

Strike: "persons"

Insert: "trucks and truck trailer combinations"

4. Page 3, line 4.

Following: "recommended"

Insert: "for driver wheels"

5. Page 3, lines 5 and 7.

Following: "required"

Insert: "for driver wheels"

6. Page 3, line 15.

Following: "determined"

Insert: "for trucks and truck trailer combinations"

7. Page 3, line 20.

Following: "tires"

Insert: "on truck and truck trailer combination driver wheels"

8. Page 3, lines 21 through 23.

Following: "┐" on line 21

Strike: remainder of line 21 through "┐" on line 23

And, as amended, do pass. Report adopted.

HB 236, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

1/25/91

SB 35, third reading copy, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 392, introduced by Hoffman (by request of the State Tax Appeal Board), referred to Committee on Taxation

HB 393, introduced by Cobb (by request of the Department of Administration), referred to Committee on Appropriations

HB 394, introduced by Nisbet, Doherty, Franklin, Cody, Manning, Galvin, Strizich, S. Rice, Wyatt, Dolezal, referred to Committee on Taxation

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

The deadline for bill draft requests to the Legislative Council of revenue bills is 5:00 p.m. this legislative day.

The deadline for introduction of revenue bills is next Wednesday, January 30, 1991, at 5:00 p.m.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, January 26, 1991. Motion carried.

House adjourned at 3:05 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 26, 1991

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Benedict, D. Brown, Cromley, Dowell, Elliott, H.S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/26/91
Correctly printed: HB 59, HB 62, HB 123, HB 195, HB 236, HB 262, HJR 6.
Correctly engrossed: HB 27, HB 72, HB 101, HB 102, HB 148.
Delivered to the Governor for his approval at 4:30 p.m., 1/25/91: HB 15, HB 19, HB 78.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 1/25/91

HJR 6, introduced bill, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 1/25/91
HB 189, introduced bill, be amended as follows:

1. Page 1, line 14.
Strike: "or"

2. Page 1, line 16.
Following: "basin"
Strike: "."
Insert: "; or
(c) in the discretion of the district court having jurisdiction."

And, as amended, do pass. Report adopted.

HB 237, introduced bill, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 1/25/91

HB 18, introduced by Driscoll
HB 66, introduced by Barnett

Senate bills passed and transmitted to the House for concurrence: 1/25/91

SB 26, introduced by Manning
SB 57, introduced by Yellowtail
SB 86, introduced by Eck
SB 92, introduced by Bruski
SB 98, introduced by Jergeson
SB 91, introduced by Keating

SB 95, introduced by T. Beck

SJR 3, introduced by Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 395, introduced by Thomas (by request of the Department of Administration), referred to Committee on State Administration

HB 396, introduced by Grady, T. Beck, referred to Committee on Local Government

HB 397, introduced by Bardanouve, Jergeson, referred to Committee on Taxation

HB 398, introduced by Connelly, Kennedy, referred to Committee on Taxation

HB 399, introduced by Connelly, Kennedy, referred to Committee on Natural Resources

HB 400, introduced by M. Hanson, Peterson, Grady, Nathe, Keller, Zook, L. Nelson, referred to Committee on Human Services and Aging

HB 401, introduced by D. Brown (by request of the Department of State Lands), referred to Committee on Natural Resources

HB 402, introduced by Wyatt, Elliott, Cobb, Strizich, Simpkins, Forrester, Benedict, referred to Committee on Taxation

The following Senate bills were introduced, read first time, and referred to committee:

SB 26, introduced by Manning (by request of the Coal Tax Oversight Subcommittee), referred to Committee on Taxation

SB 57, introduced by Yellowtail (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary

SB 86, introduced by Eck (by request of the Department of Revenue), referred to Committee on Taxation

SB 91, introduced by Keating, Svrcek, Jergeson, Cobb, Kadas, Pavlovich (by request of the Legislative Audit Committee), referred to Committee on Highways and Transportation

SB 92, introduced by Bruski, Koehnke, Rea (by request of the Department of Highways), referred to Committee on Local Government

SB 95, introduced by T. Beck (by request of the Department of Justice), referred to Committee on Highways and Transportation

SB 98, introduced by Jergeson, referred to Committee on Local Government

SJR 3, introduced by Gage, referred to Committee on Local Government

MOTIONS

Representative Pavlovich moved consideration of HB 173 be passed to the twenty-second legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 161 - Representative Gilbert moved HB 161 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Grinde, M. Hanson, Peterson, Stang, Stepler, Swysgood.
Total 11

Voted Absentee: Dowell, Peck, Ayes.

Excused: Benedict, D. Brown, H. S. Hanson, Kadas, McCulloch, L. Nelson, Scott, Thoft, Thomas.
Total 9

Absent or not voting: Cromley, Whalen.
Total 2

HB 223 - Representative Lee moved HB 223 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler,

Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 10

Absent or not voting: None.

Total 0

HB 28 - Representative Mercer moved consideration of HB 28 be passed for the day. Motion carried.

HB 33 - Representative Gilbert moved HB 33, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 15.

Following: "government"

Strike: "as:"

Insert: "to restrict access or use of public lands."

2. Page 1, lines 16 through 18.

Strike: lines 16 through 18 in their entirety.

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: R. DeBruycker, Stepler.

Total 2

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 11

Absent or not voting: None.
Total 0

Representative O'Keefe moved HB 33, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Cobb, J. DeBruycker, R. DeBruycker, Ellison, Feland, Foster, Grady, Grinde, M. Hanson, Hoffman, Kasten, Keller, Knox, McCaffree, Mercer, T. Nelson, Peterson, Spring, Stepler, Swysgood, Thoft, Tunby.
Total 22

Voted Absentee: Cromley, Dowell, Ayes; Thoft, No.

Excused: Benedict, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thomas.
Total 8

Absent or not voting: None.
Total 0

HB 64 - Representative Darko moved consideration of HB 64 be passed for the day. Motion carried.

HB 138 - Representative Peterson moved HB 138 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: D. Brown, Cohen, Driscoll, Kasten, Measure, Simpkins, Stang.
Total 7

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 10

Absent or not voting: Cobb.
Total 1

HB 140 - Representative Raney moved HB 149 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bergsagel, D. Brown, Clark, R. DeBruycker, Ellis, Grinde, Hayne, McCaffree, Peterson, J. Rice.
Total 10

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 10

Absent or not voting: Lee.
Total 1

HB 149 - Representative Forrester moved HB 149 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bardanouve, Clark, Cody, J. DeBruycker, R. DeBruycker, Driscoll.
Total 6

Voted Absentee: Benedict, Dowell, Ayes.

Excused: Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 9

Absent or not voting: None.
Total 0

HB 157 - Representative Stickney moved HB 157, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.
Strike: "AND"

2. Title, line 12.
Following: "MCA"
Insert: "; AND PROVIDING AN APPLICABILITY DATE"

3. Page 2, line 3.
Following: line 2
Insert: "NEW SECTION. Section 2. Applicability. [This act] applies to payments received on or after October 1, 1991."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Bergsagel, Clark, R. DeBruycker, Feland, Gilbert, Grinde, Hayne, R. Johnson, Knox, Measure, Messmore, Peterson, Phillips, Spring.
Total 14

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 11

Absent or not voting: Ellis.
Total 1

Representative Stickney moved HB 157, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Gervais, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 49

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Swysgood, Tunby, Wallin.

Total 44

Voted Absentee: Dowell, McCulloch, Ayes; Benedict, Cromley, H. S. Hanson, Noes.

Excused: Kadas, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 6

Absent or not voting: Grinde.

Total 1

HB 159 - Representative J. Rice moved consideration of HB 159 be placed below HB 193 on the second reading board. Motion carried.

HB 174 - Representative Grady moved HB 174 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Boharski, Cobb, Cody, O'Keefe, Squires, Stang, Wanzenried.

Total 7

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 10

Absent or not voting: None.
Total 0

HB 193 - Representative Toole moved HB 193, second reading copy, be amended as follows (amendment #1):

1. Title, lines 5 and 6.

Following: "TAXES;"

Strike: "REDUCING FROM 10 YEARS TO 5 YEARS THE"

Insert: "ELIMINATING THE 10-YEAR"

2. Title, line 8.

Following: "DECEDENT;"

Strike: "ELIMINATING THE REQUIREMENT"

Insert: "REQUIRING"

3. Title, line 9.

Following: "BEGIN"

Insert: "ON OR"

Following: "CHILD'S"

Strike: "15TH"

Insert: "18TH"

4. Page 2, lines 2 and 3.

Following: "decedent"

Strike: the remainder of line 2 through "years" on line 3.

Insert: ", "

Following: "transfer"

Insert: ", "

5. Page 2, line 5.

Following: "stepparent"

Insert: ", provided the relationship began on or before the child's 18th birthday"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 85

Noes: Stang.

Total 1

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 11

Absent or not voting: Bardanouve, Pavlovich, Mr. Speaker.

Total 3

Representative Toole moved HB 193, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 10

Absent or not voting: None.

Total 0

HB 159 - Representative Connelly moved consideration of HB 159 be placed below HB 248 on the second reading board. Motion carried.

HB 225 - Representative Phillips moved HB 225 do pass. Motion carried as follows:

Ayes: Barnhart, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Feland, Forrester, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe,

Pavlovich, Peterson, Phillips, Quilici, S. Rice, Schye, Simpkins, Spring, Squires, Stickney, Strizich, Swysgood, Toole, Tunby, Whalen, Zook.
Total 61

Noes: Bachini, Bardanouve, Barnett, Beck, Becker, Brooke, Cobb, Cohen, Connelly, Elliott, Fagg, Foster, Galvin, Gervais, Grinde, Knox, Measure, Mercer, Raney, Ream, J. Rice, Russell, Southworth, Stang, Stepler, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 29

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 10

Absent or not voting: None.
Total 0

HB 248 - Representative R. Johnson moved HB 248 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 10

Absent or not voting: None.
Total 0

HB 159 - Representative Connelly moved HB 159, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 19.
Following: "WAGES"

Strike: "AS"

Insert: "on a contract where payment of the standard prevailing wage rate is"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: D. Brown, R. DeBruycker, Feland.
Total 3

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 11

Absent or not voting: Lee.
Total 1

Representative Connelly moved HB 159, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 69

Noes: Bergsagel, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, T. Nelson, Peterson, Phillips, Simpkins, Stepler, Swysgood, Wallin.
Total 22

Voted Absentee: Dowell, Aye; H. S. Hanson, No.

Excused: Benedict, Cromley, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 9

January 26, 1991

Absent or not voting: None.

Total 0

HJR 9 - Representative Russell moved HJR 9 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Davis, Hayne, Knox, McCaffree, Mercer.

Total 5

Voted Absentee: Dowell, Aye.

Excused: Benedict, Cromley, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 10

Absent or not voting: None.

Total 0

HB 12 - Representative Daily moved HB 12 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 11

Absent or not voting: None.

Total 0

HB 53 - Representative Nisbet moved HB 53 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, M. Hanson, Harrington, J. Johnson, Kilpatrick, Larson, Madison, McCarthy, Menahan, T. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 54

Noes: Bachini, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cocchiarella, J. DeBruycker, R. DeBruycker, Driscoll, Ellison, Feland, Foster, Gilbert, Grady, Grinde, S. J. Hansen, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Lee, McCaffree, Measure, Mercer, Messmore, O'Keefe, Phillips, Simpkins, Stang, Swysgood, Thomas, Wyatt.

Total 35

Voted Absentee: ; Thomas, No.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft.

Total 10

Absent or not voting: Knox.

Total 1

HB 139 - Representative Raney moved HB 139 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Cobb, Cody, Feland, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Swysgood, Tunby, Zook.

Total 11

Voted Absentee: Kadas, McCulloch, Peck, Ayes.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, L. Nelson, Scott, Thoft, Thomas.

Total 8

Absent or not voting: Squires.

Total 1

HB 160 - Representative Gilbert moved HB 160 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.

Total 0

Voted Absentee: Kadas, McCulloch, Peck, Ayes.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, L. Nelson, Scott, Thoft, Thomas.

Total 8

Absent or not voting: None.

Total 0

HB 162 - Representative Gilbert moved HB 162 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth,

Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Cobb, Elliott, M. Hanson, McCaffree, Stang, Stepler, Swysgood.
Total 7

Voted Absentee: Kadas, Peck, Ayes.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, McCulloch, L. Nelson, Scott, Thoft, Thomas.
Total 9

Absent or not voting: Grinde.
Total 1

HB 191 - Representative Measure moved HB 191 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: R. DeBruycker.
Total 1

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 11

Absent or not voting: None.
Total 0

HB 197 - Representative Boharski moved HB 197 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy,

Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 11

Absent or not voting: None.

Total 0

HB 205 - Representative Davis moved HB 205 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Voted Absentee: McCulloch, Aye.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, L. Nelson, Peck, Scott, Thoft, Thomas.

Total 10

Absent or not voting: None.

Total 0

HB 211 - Representative Bradley moved HB 211 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster,

Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Voted Absentee: Kadas, McCulloch, Ayes.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 9

Absent or not voting: None.
Total 0

HB 221 - Representative Toole moved HB 221 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 11

Absent or not voting: None.
Total 0

HB 224 - Representative Driscoll moved consideration of HB 224 be passed for the day. Motion carried.

HB 242 - Representative Driscoll moved consideration of HB 242 be passed for the day. Motion carried.

HB 244 - Representative Driscoll moved consideration of HB 244 be passed for the day. Motion carried.

HB 231 - Representative Cobb moved HB 231 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Voted Absentee: Thomas, Aye.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft.

Total 10

Absent or not voting: None.

Total 0

SB 35 - Representative D. Brown moved SB 35 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bergsagel, Hoffman, Menahan, Stang.

Total 4

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, L. Nelson, Peck, Scott, Thoft, Thomas.
Total 11

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Pavlovich moved the adoption of the committee report. Report adopted. (88-0)

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:
1/26/91

SB 18, introduced by Gage
SB 54, introduced by Nathe
SB 70, introduced by Gage
SB 80, introduced by Weeding
SB 90, introduced by Jergeson
SB 132, introduced by Tveit

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 403, introduced by Spring, McCarthy, Ellison, Ream, referred to Committee on Fish and Game
HB 404, introduced by Grinde, Menahan, Harper, J. Rice, Waterman, Williams, Grady, Jacobson, Devlin, Nathe, Mazurek, Mercer, referred to Committee on State Administration
HB 405, introduced by Wallin, H.S. Hanson, Barnett, Hansen, S. Rice, Cody, Pavlovich, Bergsagel, Ellison, Spring, Ellis, Fagg, Tunby, Knox, D. Brown, Menahan, Lynch, referred to Committee on Business and Economic Development
HB 406, introduced by Daily, referred to Committee on Education and Cultural Resources

The following Senate bills were introduced, read first time, and referred to committee:

SB 18, introduced by Gage, referred to Committee on Taxation
SB 54, introduced by Nathe, referred to Committee on Human Services and Aging
SB 70, introduced by Gage (by request of the Department of Revenue), referred to Committee on Taxation
SB 80, introduced by Weeding (by request of the Department of Highways), referred to Committee on Highways and Transportation

SB 90, introduced by Jergeson, Mazurek, J. Brown, Connelly, Franklin, Weeding, Spring, Hager, Waterman, J. Rice, Koehnke, Ream, Menahan, Gilbert, Driscoll, Scott, McCulloch, Hansen, Harper, Burnett, Cody, Bengtson, L. Nelson, B. Brown, Grady, Stepler, Vaughn, Pinsoneault, Harrington, Cocchiarella, Measure, Gervais, referred to Committee on State Administration

SB 132, introduced by Tveit, Harding, Weeding, Bruski (by request of the Department of Highways), referred to Committee on Highways and Transportation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 71 passed as follows:

Ayes: Bachini, Barnett, Becker, Bergsagel, Boharski, Brooke, J. Brown, Clark, Connelly, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, S. J. Hansen, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Lee, Madison, McCaffree, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Scott, Simpkins, Spring, Squires, Stickney, Strizich, Tunby, Wallin, Zook, Mr. Speaker.

Total 50

Noes: Bardanouve, Barnhart, Beck, Benedict, Bradley, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Dolezal, Driscoll, Feland, Forrester, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hoffman, Kimberley, Larson, McCarthy, McCulloch, Measure, Menahan, Mercer, O'Keefe, Pavlovich, Quilici, Raney, Russell, Schye, Southworth, Stang, Stepler, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt.

Total 47

Voted Absentee: Kadas, L. Nelson, Peck, Scott, Ayes; Benedict, McCulloch, Thoft, Thomas, Noes.

Excused: Cromley, Dowell, H. S. Hanson.

Total 3

Absent or not voting: None.

Total 0

HB 208 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure,

Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 85

Noes: Cohen, Raney.
Total 2

Voted Absentee: L. Nelson, Peck, Scott, Ayes.

Excused: Benedict, Cromley, Dowell, H. S. Hanson, Kadas, McCulloch, Thoft, Thomas.
Total 8

Absent or not voting: Beck, D. Brown, Gould, Wanzenried, Mr. Speaker.
Total 5

MOTIONS

Representative D. Brown moved the House reconsider its action on HB 71 taken on third reading this legislative day. Motion failed.

Representative Bardanouve moved HB 12 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Monday, January 28, 1991. Motion carried.

House adjourned at 10:30 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 28, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll call. All members present except Boharski, Cody, Dowell, H.S. Hanson, M. Hanson, Menahan, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifteenth and sixteenth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/28/91

Correctly printed: HB 68, HB 189, HB 237.

Correctly engrossed: HB 33, HB 53, HB 138, HB 139, HB 140, HB 149, HB 157, HB 159, HB 160, HB 161, HB 162, HB 174, HB 191, HB 193, HB 197, HB 205, HB 211, HB 221, HB 223, HB 225, HB 231, HB 248, HJR 9, SB 35.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

1/28/91

SB 20, third reading copy, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 1/28/91

HB 105, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 3, line 15.

Strike: "are arbitrary or capricious"

Insert: "were based on good cause"

3. Page 3, line 23.

Strike: "arbitrary or capricious"

Insert: "based on good cause"

4. Page 4, line 11.

Insert: "NEW SECTION. Section 4. Applicability. [This act] does not apply to a person who was employed in an administrative position before October 1, 1991."

And, as amended, do pass. Report adopted.

HB 142, introduced bill, be amended as follows:

1. Page 1, line 3.

Insert: "By Request of the Postsecondary Education Study Committee"

2. Page 2, line 4.

Following: "System"

Insert: ", the community colleges,"

And, as amended, do pass. Report adopted.

HB 175, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 407, introduced by Bradley, Gage, Gervais, Svrcek, Russell, Cody, Schye, M. Hanson, Hayne, Yellowtail, Mercer, Davis, McCarthy, Bardanoue, referred to Committee on Education and Cultural Resources

HB 408, introduced by Schye, Daily, Toole, Stickney, Ream, Wanzenried, Menahan, J. Johnson, Davis, Wyatt, Darko, referred to Committee on Taxation

HB 409, introduced by Cobb, referred to Committee on Education and Cultural Resources

HB 410, introduced by Cobb, referred to Committee on Human Services and Aging

HB 411, introduced by Kadas, Grinde, Cobb, Jergeson, Keating, Pavlovich, Svrcek (by request of the Legislative Audit Committee), referred to Committee on Business and Economic Development

HB 412, introduced by Strizich, Waterman, Kimberley, Barnhart, Wyatt, Lee, Dowell, Gervais (by request of the Board of Crime Control), referred to Committee on Judiciary

HB 413, introduced by Connelly, Hager, referred to Committee on Human Services and Aging

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative O'Keefe in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 28 - Representative Driscoll moved consideration of HB 28 be passed for the day. Motion carried.

HB 64 - Representative Peck moved HB 64 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,

Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Dowell, Aye.

Excused: Boharski, Cody, H. S. Hanson, M. Hanson, Menahan.

Total 5

Absent or not voting: None.

Total 0

HB 224 - Representative Peck moved HB 224 do pass. Motion failed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Bradley, Clark, Daily, Dowell, Ellis, Fagg, Forrester, Galvin, Grady, S. J. Hansen, Hayne, R. Johnson, Keller, Kilpatrick, Knox, Larson, Madison, O'Keefe, Pavlovich, Peck, S. Rice, Schye, Spring, Stepler, Tunby, Wallin.

Total 30

Noes: Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellison, Feland, Foster, Gervais, Gilbert, Gould, Grinde, Harrington, Hoffman, J. Johnson, Kadas, Kasten, Kimberley, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Voted Absentee: Dowell, Aye; Menahan, No.

Excused: Boharski, Cody, H. S. Hanson, M. Hanson.

Total 4

Absent or not voting: None.

Total 0

HB 242 - Representative Thomas moved HB 242 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 86

Noes: Kilpatrick, Measure, L. Nelson, Squires, Steppler, Wanzenried, Wyatt.
Total 7

Voted Absentee: Dowell, Aye.

Excused: Boharski, Cody, H. S. Hanson, M. Hanson, Menahan.
Total 5

Absent or not voting: Spring, Whalen.
Total 2

HB 244 - Representative Thomas moved HB 244 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 84

Noes: Bardanouve, Brooke, Cohen, Elliott, Grinde, Kadas, Kilpatrick, Measure, L. Nelson, Wanzenried, Wyatt.
Total 11

Voted Absentee: Dowell, Aye.

Excused: Boharski, Cody, H. S. Hanson, M. Hanson, Menahan.
Total 5

Absent or not voting: None.
Total 0

HB 59 - Representative D. Brown moved consideration of HB 59 be passed for the day. Motion carried.

HB 62 - Representative Stang moved HB 62 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Swysgood.
Total 2

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.
Total 4

Absent or not voting: Hoffman, J. Rice.
Total 2

HB 123 - Representative Hansen moved HB 123 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, R. DeBruycker, Hayne, Knox, McCaffree, Simpkins.
Total 6

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.
Total 4

Absent or not voting: None.
Total 0

HB 168 - Representative McCulloch moved HB 168 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, R. DeBruycker, Feland.
Total 3

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.
Total 4

Absent or not voting: Galvin.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman O'Keefe moved the adoption of the committee report. Report adopted. (91-2)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/28/91
Correctly printed: HB 175.

JUDICIARY (Strizich, Chairman): 1/28/91
HB 307, introduced bill, be amended as follows:

1. Page 1, line 22.
Following: "services"

Insert: ", or within 1 year after the day the victim reaches 18 years of age, whichever occurs last"

2. Page 2, lines 10 and 11.

Following: "officer," on line 10

Strike: the remainder of line 10 through "the" on line 11

Insert: "The"

3. Page 2, line 12.

Following: "or"

Strike: "unless"

Insert: ", except in a case involving a sexual offense against a minor or when"

And, as amended, do pass. Report adopted.

SB 33, third reading copy, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 414, introduced by Cohen, referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 27 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Brooke, L. Nelson, Wyatt.

Total 3

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.

Total 4

Absent or not voting: Clark, Daily, T. Nelson, Spring.

Total 4

HB 72 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.

Total 4

Absent or not voting: Daily, McCulloch.

Total 2

HB 101 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Benedict, Bergsagel, Clark, Grinde, McCaffree, Peck, Swysgood.

Total 7

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.
Total 4

Absent or not voting: None.
Total 0

HB 102 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Clark, R. DeBruycker, Grinde, McCaffree, Measure, Peck, Swysgood.
Total 8

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.
Total 4

Absent or not voting: None.
Total 0

HB 148 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Benedict, Bergsagel, Clark, R. DeBruycker, Gilbert, Hayne, Southworth, Wallin.
Total 8

Voted Absentee: Dowell, Aye.

Excused: Cody, H. S. Hanson, M. Hanson, Menahan.

Total 4

Absent or not voting: None.

Total 0

SB 35 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzienried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, Cobb, Grinde, Hoffman, O'Keefe, Stang.

Total 6

Excused: Cody, Dowell, H. S. Hanson, M. Hanson, Menahan.

Total 5

Absent or not voting: None.

Total 0

MOTIONS

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of LC 406, requested by the Legislative Council, to implement the recent Supreme Court ruling of State v. Kramp. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Kari Blaylock, Columbus
Giano Cromley, Billings
Chris Heggem, Winifred
Tami Lofthouse, Helena
Jodie Smith, Billings
Sarah Smith, Kalispell
Stacey Standley, Bigfork
Scott Stearns, Missoula

Brandi Steele, Billings
Zach Lowe, Billings

Representative Driscoll moved the House adjourn until 1:30 p.m., Tuesday, January 29, 1991. Motion carried.

House adjourned at 2:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 29, 1991

House Chambers
State Capitol

House convened at 1:35 p.m. Mr. Speaker in the Chair. Invocation by Reverend Gayle Sandholm. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventeenth and eighteenth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/29/91

Correctly printed: HB 105, HB 142, HB 307.

Correctly engrossed: HB 62, HB 64, HB 123, HB 168, HB 242, HB 244.

Correctly enrolled: HB 66.

Examined by the sponsor and found to be correct:

HB 66 - Barnett

Signed by the Speaker at 10:00 a.m., 1/29/91: SB 9.

Signed by the Speaker at 11:50 a.m., 1/29/91: HB 66.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):

1/28/91

HB 277, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

1/28/91

HB 325, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "facilities"

Insert: ", all"

And, as amended, do pass. Report adopted.

HB 366, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "Appropriation."

Insert: "(1)"

2. Page 1.

Following: line 24

Insert: "(2) If, during the biennium for which the appropriation in subsection (1) is made, the state of Montana concludes an agreement for the provision of child protection services with the members of the Crow Indian nation living on the Crow Indian reservation in Montana, the appropriation in subsection (1) is then increased to \$892,558 for the biennium ending June 30, 1993, for 15.9 FTEs for child protection services to Native American children on Montana's Indian reservations."

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

1/28/91

HB 228, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "INVOLVED IN RESPONDING"

Insert: "RELATED"

2. Page 1, line 11.

Strike: "or private"

3. Page 1, line 12.

Following: "agency"

Insert: "or a private entity acting under a request from or authority granted
by a government agency"

4. Page 1, line 15.

Strike: "episode"

Insert: "occasion"

5. Page 1, line 16.

Following: "50-30-201"

Insert: "and 75-10-602"

6. Page 1, line 17.

Strike: "results" through "life"

Insert: "endangers property, public health, or public safety"

7. Page 1, line 18.

Following: "costs."

Insert: "(1)"

8. Page 1, lines 19 and 20.

Strike: "a cause" on line 19 through "against" on line 20

Insert: "recover from"

9. Page 1, line 20.

Strike: "for"

Following: "the" and before "full"

Insert: "emergency responder's"

10. Page 1, lines 20 and 21.

Strike: "involved" on line 20 through "to" on line 21

Insert: "related to"

11. Page 1, line 22.

Following: line 21

Insert: "(2) The provisions of part 7 of this chapter apply to [section 1] and
this section to the extent that they can be applied and to the extent
that they do not conflict with the provisions of [section 1] and this
section.

NEW SECTION. Section 3. Codification instruction.
[Sections 1 and 2] are intended to be codified as an integral part of
Title 75, chapter 10, part 6, and the provisions of Title 75, chapter
10, part 6, apply to [sections 1 and 2]."

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 1/28/91
HB 60, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 1/29/91
HB 318, introduced bill, do pass. Report adopted.
HB 345, introduced bill, do pass. Report adopted.

TAXATION (Harrington, Chairman): 1/29/91
SB 61, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 1/28/91
HB 52, introduced by Nisbet

Senate bills passed and transmitted to the House for concurrence:
1/28/91

SB 10, introduced by Bengtson
SB 66, introduced by Halligan
SB 87, introduced by B. Brown
SB 100, introduced by Hockett

The Honorable Hal Harper January 29, 1991
Speaker of the House
State Capitol
Helena, MT 59620

Mr. Speaker:

This letter amends the letter dated January 25, 1991 with respect to HB
18.

I am directed by the Senate to inform the House of Representatives that
House Bill 18 was on January 25, 1991, read three several times, and
concurred in as amended, title and history agreed to. The bill was
transmitted, however, the House needs to consider the Senate
amendments.

Respectfully,

DAVID L. HUNTER
Secretary of the Senate

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 415, introduced by Stickney, J. Rice, Blaylock, Mazurek, Whalen, Harper, Darko, J. Brown, D. Brown, Driscoll, Yellowtail, Waterman, Zook, O'Keefe, Grady, referred to Committee on Appropriations

HB 416, introduced by D. Brown, referred to Committee on Judiciary

HB 417, introduced by Elliott, Svrcek, Harper, J. Rice, Mazurek, Van Valkenburg, Mercer, Russell, referred to Committee on Judiciary

HB 418, introduced by Madison (by request of the Department of Natural Resources and Conservation), referred to Committee on Appropriations

HB 419, introduced by Mercer, Pinsoneault, Strizich (by request of the Department of Administration), referred to Committee on Judiciary

HB 420, introduced by J. Rice, referred to Committee on Judiciary

HB 421, introduced by Hoffman, referred to Committee on Judiciary

HB 422, introduced by Hoffman (by request of the Department of Administration and the State Tax Appeal Board), referred to Committee on Taxation

HB 423, introduced by Kadas, referred to Committee on Appropriations

HB 424, introduced by Stickney, Russell, Toole, Squires, Brooke, Eck, Wyatt, Wanzenried, J. DeBruycker, J. Brown, Connelly, Kimberley, Davis, Darko, Raney, Larson, Driscoll, Scott, Doherty, Cocchiarella, McCarthy, S. Rice, D. Brown, Cody, Southworth, Hansen, Harper, Strizich, Barnhart, Bradley, Becker, Pinsoneault, Peterson, McCulloch, Franklin, Whalen, Fritz, Blaylock, Jacobson, Vaughn, Schye, Waterman, Kilpatrick, Gervais, Ream, L. Nelson, Yellowtail, Bengtson, referred to Committee on State Administration

HB 425, introduced by Stickney, Wanzenried, Schye, Davis, referred to Committee on Highways and Transportation

HB 426, introduced by J. Rice, Stickney, Rea, Messmore, Eck, J. Johnson, Koehnke, referred to Committee on Judiciary

HB 427, introduced by G. Beck, Whalen, Lynch, Pavlovich, Scott, Larson, McCarthy, Quilici, Bergsagel, Daily, Menahan, T. Beck, D. Brown, referred to Committee on State Administration

HB 428, introduced by Gould, Halligan, Brooke, Thoft, Kasten, G. Beck, T. Beck (by request of the Department of Institutions), referred to Committee on Judiciary

HB 429, introduced by Kasten, Fagg, Thoft, Brooke, J. Rice, Strizich, Mercer, Bradley, Bardanouve, Toole, Darko, T. Beck, Bengtson, Messmore, Becker, Cromley, D. Brown (by request of the Department of Institutions), referred to Committee on Human Services and Aging

HB 430, introduced by Driscoll, referred to Committee on State Administration

HB 431, introduced by Schye (by request of the Board of Public Education), referred to Committee on Education and Cultural Resources

HB 432, introduced by Cody, referred to Committee on State Administration

HB 433, introduced by Cody, referred to Committee on Education and Cultural Resources

HJR 13, introduced by Connelly, B. Brown, Lynch, Jacobson, Bachini, Pipinich, Anderson, Gould, Gervais, Stang, D. Brown, Harrington, Driscoll,

Yellowtail, Whalen, referred to Committee on Labor and Employment Relations

The following Senate bills were introduced, read first time, and referred to committee:

SB 10, introduced by Bengtson, referred to Committee on Local Government

SB 66, introduced by Halligan, Pavlovich, Rye, Harding, Kadas, Yellowtail, Svrcek, Bradley, referred to Committee on Human Services and Aging

SB 87, introduced by B. Brown (by request of the Board of Realty Regulation), referred to Committee on Judiciary

SB 100, introduced by Hockett, referred to Committee on Local Government

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Benedict in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 195 - Representative Kilpatrick moved HB 195 do pass.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cobb moved HB 195, second reading copy, be amended (amendment #1). Amendment #1 failed. (41-59)

Thereupon, HB 195 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellison, Forrester, Galvin, Gervais, Grinde, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 175 - Representative D. Brown moved HB 175 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 59

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 68 - Representative Whalen moved HB 68 do pass.

Representative Peterson made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Peterson moved HB 68, second reading copy, be amended (amendment #1). Amendment #1 failed. (44-55)

Thereupon, HB 68 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 57

Noes: Barnett, Benedict, Bergsagel, Boharski, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Benedict moved the adoption of the committee report. Report adopted. (72-26)

MOTIONS

Representative Peck moved HB 175 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Stickney moved HB 415 be taken from the Committee on Appropriations and rereferred to the Committee on Education and Cultural Resources. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 434, introduced by McCaffree, Wanzenried, Zook, J. Johnson (by request of the Department of Administration), referred to Committee on State Administration

HB 435, introduced by Stang, Nathe, L. Nelson, Tveit, Steppler, Hammond, Yellowtail, referred to Committee on Education and Cultural Resources

HB 436, introduced by Peck, Cody, Bachini, Davis, Zook, L. Nelson, Hayne, J. Johnson (by request of the Superintendent of Public Instruction), referred to Committee on Education and Cultural Resources

HB 437, introduced by Spring, referred to Committee on Taxation

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 239: Rea.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

HOUSE JOURNAL
REGULAR SESSION

Representative Driscoll moved the House adjourn until 1:30 p.m., Wednesday, January 30, 1991. Motion carried.

House adjourned at 3:10 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 30, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Bradley. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the nineteenth legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

The Eastern Montana College Choir and Madrigal Singers, a choral ensemble from Eastern Montana College, performed for the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/30/91
Correctly printed: HB 60, HB 228, HB 277, HB 318, HB 325, HB 345, HB 366.
Correctly engrossed: HB 68, HB 195.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 1/29/91
HB 279, introduced bill, do pass. Report adopted.
SB 2, third reading copy, be amended as follows: 1/30/91

1. Title, lines 6 and 8.
Strike: "REPEALING"
Insert: "AMENDING"

2. Page 1, lines 18 and 19.
Strike: section 1 in its entirety
Insert: "Section 1. Section 13, Chapter 400, Laws of 1989, is amended to read:
"Section 13. Termination. [This act] terminates October 1, 1994 1995.""

And, as amended, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman): 1/30/91
HB 272, introduced bill, be amended as follows:

1. Page 6, lines 7, 9, and 15.
Strike: "a crime"
Insert: "an offense"

2. Page 6, line 12.
Strike: "a crime"

Insert: "an offense, other than an offense in which negligence is an element of the offense,"

3. Page 7, line 21.

Strike: "who"

Insert: ", must, when possible, be gender-balanced and have racial parity, and"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 1/30/91
HB 152, introduced bill, be amended as follows:

1. Title, line 6.

Following: "LAW;"

Insert: "TO PROVIDE AN EXCEPTION FOR CERTAIN BUSINESSES;"

2. Title, line 8.

Following: "AN"

Insert: "IMMEDIATE"

3. Page 1, line 12.

Following: "rates"

Insert: "-- exception"

Following: "."

Insert: "(1)"

4. Page 1, line 14.

Following: "that"

Insert: ", except as provided in subsection (2),"

5. Page 1, line 17.

Following: line 16

Insert: "(2) The minimum wage rate for a business whose annual gross sales are \$110,000 or less is \$4 an hour."

6. Page 1, line 20.

Following: "effective"

Strike: "July 1, 1991"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

HB 204, introduced bill, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 1/30/91
HB 150, introduced bill, be amended as follows:

1. Title, line 6.

Following: "APPLICATION"

Insert: "TO THE COUNTY TREASURER"

2. Page 1, line 12.

Following: "to the"

Strike: "department of revenue or"

And, as amended, do pass. Report adopted.

HJR 7, introduced bill, be amended as follows:

1. Title, line 6.

Following: "GOVERNMENTS"

Insert: "AND SCHOOL DISTRICTS"

2. Page 1, line 22.

Following: "governments"

Insert: "and school districts"

3. Page 1, line 24.

Following: "buildings"

Insert: "and school facilities"

4. Page 1, line 25.

Following: "governments"

Insert: "and school districts"

5. Page 2, line 6.

Following: "community"

Insert: "and to each county superintendent of schools"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/30/91

HB 323, introduced bill, do pass. Report adopted.

SB 78, third reading copy, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

1/30/91

HB 313, introduced bill, be amended as follows:

1. Page 6, lines 22 and 23.

Strike: "or" on line 22 through "(3)" on line 23

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

1/29/91

HB 80, introduced by Nisbet

HB 85, introduced by Stang

House bill concurred in as amended and returned to the House for
concurrence in Senate amendments:

1/29/91

HB 43, introduced by Cobb

Senate bills passed and transmitted to the House for concurrence:

1/29/91

SB 13, introduced by Bianchi

SB 150, introduced by Hockett

SB 173, introduced by Blaylock

SB 155, introduced by Jergeson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 438, introduced by O'Keefe, Doherty, referred to Committee on Business and Economic Development

HB 439, introduced by Barnett, Cromley, J. Rice, Hoffman, Mercer, Toole, Bradley, Whalen, Cobb, referred to Committee on Judiciary

HB 440, introduced by Southworth, Raney, Cohen, Menahan, O'Keefe, Peck, Strizich, Darko, Bachini, Whalen, Vaughn, Galvin, referred to Committee on Highways and Transportation

HB 441, introduced by Pavlovich, Daily, referred to Committee on Taxation

HB 442, introduced by T. Nelson, Williams, Hager, Schye, referred to Committee on Business and Economic Development

HB 443, introduced by Bradley, Gilbert, Harp, Williams, referred to Committee on Fish and Game

HB 444, introduced by Wanzenried, Measure, Dowell, Connelly, Kadas, Darko, Cohen, Stickney, Peck, J. Johnson, Peterson, Kennedy, referred to Committee on Taxation

HB 445, introduced by J. Rice, Halligan, Messmore, Eck, Lee, Pipinich, Franklin, Mercer, Harper, Weeding, Peterson, Kasten, Thomas, R. Johnson, J. Brown, Spring, Hayne, Bengtson, Tveit, Cohen, Mazurek, Bradley, Rye, Galvin, M. Hanson, Tunby, Hager, Devlin, Russell, Towe, Harding, Keating, referred to Committee on Human Services and Aging

HB 446, introduced by T. Nelson, Gilbert, referred to Committee on Taxation

HB 447, introduced by Cobb, Kasten, Nathe, Keating, referred to Committee on Taxation

The following Senate bills were introduced, read first time, and referred to committee:

SB 13, introduced by Bianchi, referred to Committee on Fish and Game

SB 150, introduced by Hockett (by request of the Department of State Lands), referred to Committee on Agriculture, Livestock, and Irrigation

SB 155, introduced by Jergeson, Cobb, Pavlovich, Svrcek, Kadas, Keating (by request of the Legislative Audit Committee), referred to Committee on Agriculture, Livestock, and Irrigation

SB 173, introduced by Blaylock, Crippen, Mazurek, Mercer, Harper (by request of the Commissioner of Political Practices), referred to Committee on State Administration

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 33 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Bergsagel, Cobb, R. DeBruycker, Ellison, Foster, Grady, Grinde, M. Hanson, Kasten, Keller, Knox, McCaffree, Mercer, Peck, Spring, Steppler, Swysgood, Thoft, Tunby.

Total 19

Excused: Kadas, Wallin.

Total 2

Absent or not voting: Ellis.

Total 1

HB 53 passed as follows:

Ayes: Bardanoue, Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, Keller, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 70

Noes: Bachini, Bergsagel, D. Brown, Cobb, Cocchiarella, R. DeBruycker, Ellison, Foster, Grinde, Hayne, R. Johnson, Kasten, Kilpatrick, Kimberley, McCaffree, Mercer, O'Keefe, Peck, Scott, Simpkins, Stang, Swysgood, Thoft, Thomas, Zook.

Total 25

Excused: Kadas, Wallin.

Total 2

Absent or not voting: Barnhart, J. DeBruycker, Feland.

Total 3

HB 62 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Driscoll, Grinde, M. Hanson, Swysgood.

Total 5

Excused: Kadas, Wallin.

Total 2

Absent or not voting: None.

Total 0

HB 64 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Kadas, Wallin.

Total 2

Absent or not voting: None.

Total 0

HB 123 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: R. DeBruycker, Hayne, McCaffree, Simpkins.
Total 4

Excused: Kadas, Wallin.
Total 2

Absent or not voting: Feland.
Total 1

HB 138 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, D. Brown, Cobb, Cohen, Driscoll, Kasten, Simpkins, Stang.
Total 8

Excused: Kadas, Wallin.
Total 2

Absent or not voting: None.
Total 0

HB 139 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Cobb, Cody, R. DeBruycker, Feland, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, L. Nelson, Swysgood, Tunby, Zook.
Total 13

Excused: Kadas, Wallin.
Total 2

Absent or not voting: None.
Total 0

HB 140 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Bergsagel, Clark, R. DeBruycker, Ellis, Grinde, H. S. Hanson, Hayne, Peck, Peterson, J. Rice, Thomas.
Total 12

Excused: Wallin.
Total 1

Absent or not voting: None.
Total 0

HB 149 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Clark, Cody, J. DeBruycker, R. DeBruycker.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 157 failed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 45

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 54

Excused: None.
Total 0

Absent or not voting: Schye.
Total 1

HB 159 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Benedict, Bergsagel, Cobb, R. DeBruycker, Ellis, Feland, Grinde, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, T. Nelson, Peterson, Simpkins, Stepler, Swysgood, Wallin.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 160 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 161 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Cobb, Cody, J. DeBruycker, R. DeBruycker, Grinde, M. Hanson, Hoffman, McCaffree, L. Nelson, Peck, Peterson, Stang, Stepler, Swysgood.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 162 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: D. Brown, Cobb, Cody, Elliott, M. Hanson, Hoffman, McCaffree, L. Nelson, Peck, Peterson, Scott, Stang, Stepler, Swysgood, Wallin.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 168 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, R. DeBruycker, Feland, Larson.
Total 4

Excused: None.
Total 0

Absent or not voting: Bardanouve, Guilici, Ream.
Total 3

HB 174 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Guilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bachini, Boharski, Cobb, Cody, O'Keefe, Peck, Squires, Stang, Wanzenried.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 191 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Benedict, Bergsagel, R. DeBruycker.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 193 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: McCarthy.

Total 1

HB 197 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 205 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Bachini.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 211 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 221 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Ream.
Total 1

HB 223 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 225 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook.

Total 74

Noes: Bardanouve, Beck, Becker, Brooke, Cohen, Connelly, Ellison, Fagg, Foster, Grinde, Kadas, Knox, McCaffree, Measure, Mercer, L. Nelson, Raney, Ream, J. Rice, Southworth, Squires, Stang, Steppler, Wanzenried, Wyatt, Mr. Speaker.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 231 passed as follows:

Ayes: Bachini, Bardonouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 242 passed as follows:

Ayes: Bachini, Bardonouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook.
Total 88

Noes: Boharski, Elliott, Kadas, L. Nelson, Squires, Stepler, Wanzenried, Wyatt, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: Galvin, McCulloch, T. Nelson.

Total 3

HB 244 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Brooke, Cobb, Cody, Cohen, Connelly, Elliott, Grinde, Measure, L. Nelson, Peck, Southworth.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 248 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 9 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 88

Noes: Benedict, Cobb, Davis, Ellison, Hayne, Knox, McCaffree, Mercer, Simpkins, Spring, Thomas, Zook.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Bachini moved he be allowed to change his vote on HB 53, third reading, from yes to no. Motion carried.

Representative Schye moved HB 105 be taken from the second reading board and rereferred to the Committee on Education and Cultural Resources. Motion carried.

Representative Wallin moved he be recorded as excused on HB 33, HB 53, HB 62, HB 64 and HB 123, third reading. Motion carried.

Representative Peck moved HB 175 be taken from the Committee on Appropriations and placed on third reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kimberley in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 189 - Representative Thoft moved HB 189, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 16.

Following: "a"

Insert: "decreed or"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bachini, Cody, Peterson.

Total 3

Representative Thoft moved HB 189, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: R. DeBruycker.

Total 1

Excused: None.

Total 0

Absent or not voting: Bardanouve, Peterson.
Total 2

HB 28 - Representative Whalen moved HB 28, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 21.
Strike: section 4 in its entirety
ReNUMBER: subsequent section

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bardanouve.
Total 1

Representative Whalen moved HB 28, introduced bill, be further amended as follows (amendment #2):

1. Page 3, line 15.
Following: "records."
Insert: "The public contracting agency shall require all the contractors on the project to submit to it certified copies of the payroll records for workers employed on that project. If a complaint is filed with the department alleging noncompliance with 18-2-403(1) through (3) or 18-2-422, the"

2. Page 3, line 17.
Strike: "THE"

3. Page 3, line 18.
Following: "the"
Strike: "project"

Insert: "contracting agency"

Amendment #2 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: R. DeBruycker, Grinde, Wallin.

Total 3

Excused: None.

Total 0

Absent or not voting: Bardanouve, Boharski, Forrester, Lee.

Total 4

Representative H.S. Hanson moved HB 28, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 59 - Representative O'Keefe moved HB 59, second reading copy, be amended as follows (amendment #1):

Title, line 7.

Following: "**EXCEPTIONS**;"

Insert: "INCREASING FEES FOR REQUESTS FOR DRIVING RECORDS;"

1. Page 1, line 25.

Following: "~~subpoena~~;"

Insert: "Information relating to a traffic accident that did not involve a conviction, as defined in 61-11-203, may not be released by the department unless the release is requested or approved by a party involved in the accident or is required by court order or a duly executed subpoena."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Tunby.

Total 2

Excused: None.

Total 0

Absent or not voting: Cobb, Lee, J. Rice.

Total 3

Representative D. Brown moved HB 59, introduced bill, be further amended as follows (amendment #2):

1. Page 1, line 16.

Following: "data"

Strike: "and address"

2. Page 2, line 2.

Following: "agency"

Strike: "A REPRESENTATIVE OF THE MEDIA,"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Barnett, Ellis, Knox, J. Rice, Schye, Spring, Stepler, Tunby, Wallin.

Total 9

Excused: None.

Total 0

Absent or not voting: Boharski, Lee.

Total 2

Representative Driscoll moved HB 59, introduced bill, be further amended as follows (amendment #3):

1. Page 2, line 6.

Strike: "\$3"

Insert: "\$6"

2. Page 2, line 7.

Strike: "\$10"

Insert: "\$15"

Amendment #3 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 73

Noes: Benedict, Bergsagel, Boharski, Clark, Cobb, Ellis, Feland, Gilbert, Gould, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Peterson,

Phillips, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Mr. Speaker.
Total 25

Excused: None.
Total 0

Absent or not voting: Lee, Toole.
Total 2

Representative Harrington moved HB 59, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Boharski, Feland, Kasten, Schye, Spring, Stang, Stepler, Thomas, Tunby, Wallin.
Total 11

Excused: None.
Total 0

Absent or not voting: Lee.
Total 1

HB 236 - Representative Gilbert moved HB 236 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 262 - Representative Harrington moved HB 262 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Bardanouve, Barnett, Bergsagel, Boharski, Clark, Ellis, Fagg, Foster, Gilbert, Grinde, H. S. Hanson, Hayne, Kasten, Keller, Knox, Mercer, Phillips, Simpkins, Spring, Steppler, Swysgood, Thomas, Wallin.
Total 23

Excused: None.
Total 0

Absent or not voting: Feland.
Total 1

HJR 6 - Representative Toole moved HJR 6 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang,

Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 80

Noes: Beck, Benedict, R. DeBruycker, Ellis, Feland, Grinde, M. Hanson, Hayne, Kasten, Knox, Peterson, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Zook.
Total 18

Excused: None.
Total 0

Absent or not voting: Bardanouve, Harrington.
Total 2

HB 237 - Representative Ellison moved HB 237 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 20 - Representative Thomas moved SB 20 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson,

T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cohen, S. J. Hansen, Measure.

Total 3

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

SB 33 - Representative J. Rice moved SB 33 be concurred in.
Motion carried as follows:

Ayes: Bardanoue, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bachini, Beck, Forrester.

Total 3

HB 18 - Representative Driscoll moved Senate amendments to HB 18 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick,

Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Tunby.

Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kimberley moved the adoption of the committee report. Report adopted. (100-0)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

1/30/91

Correctly enrolled: HB 52.

Examined by the sponsor and found to be correct:

HB 52 - Nisbet

Signed by the Speaker at 2:00 p.m., 1/30/91: HB 52.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

1/30/91

HB 203, introduced bill, be amended as follows:

1. Page 2, line 12.

Strike: "financial institution"

Insert: "lender"

2. Page 2, line 23.

Strike: "financial institution"

Insert: "lender"

And, as amended, do pass. Report adopted.

HB 297, introduced bill, be amended as follows:

1. Title, line 9.

Following: "A"

Strike: "LICENSED"

Insert: "MONTANA-LICENSED"

2. Title, line 11.

Strike: "PRODUCERS"

Insert: "INSURERS"

3. Page 4, line 22.

Following: "identifies the"

Insert: "Montana-licensed"

Following: "producer"

Insert: "or Montana-licensed surplus insurance lines producer"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

January 30, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 15, 19 and 78 on January 30, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 448, introduced by Ream, T. Beck, Grosfield, Weeding, Williams (by request of the Governor), referred to Committee on Natural Resources

HB 449, introduced by Schye (by request of the Superintendent of Public Instruction), referred to Committee on Education and Cultural Resources

HB 450, introduced by Harper, Mercer, Mazurek, Crippen, J. Brown (by request of the Commissioner of Political Practices), referred to Committee on State Administration

HB 451, introduced by Brooke, Yellowtail, Hansen, Cocchiarella, J. Brown, Jacobson, Strizich, Wyatt, Cohen, Darko, Barnhart, Ream, Fritz, O'Keefe, Driscoll, Becker, Schye, D. Brown, Bradley, Wanzenried, Toole, Connelly, referred to Committee on Judiciary

HB 452, introduced by Larson, Bergsagel, Gould, Benedict, Dolezal, Cromley, Davis, O'Keefe, G. Beck, Scott, Schye, Daily, Toole, Williams, Swift, Pipinich, Lynch, referred to Committee on Taxation

HB 453, introduced by Fagg, Mazurek, Hoffman, Thomas, T. Nelson, O'Keefe, Wanzenried, Crippen, J. Brown, Southworth, Barnhart, referred to Committee on Labor and Employment Relations

HB 454, introduced by Cobb, Jergeson, Peck, Bradley, Bardanouve, Kadas, Keating, Grinde, Swysgood, Jacobson, Svrcek, Pavlovich, Van Valkenburg, Tveit, T. Nelson, Thoft (by request of the Legislative Audit Committee, the

Legislative Finance Committee, and the Office of Budget and Program Planning), referred to Committee on Appropriations

HB 455, introduced by Peterson, Darko, Vaughn, referred to Committee on Appropriations

HB 456, introduced by J. Rice, Cocchiarella, Blaylock, McCarthy, Simpkins, Hayne, Forrester (by request of the Commissioner of Political Practices), referred to Committee on State Administration

HB 457, introduced by Elliott, Towe, referred to Committee on Taxation

HB 458, introduced by Elliott, Towe, referred to Committee on Taxation

HB 459, introduced by Whalen, referred to Committee on Highways and Transportation

HB 460, introduced by Whalen, Daily, referred to Committee on Taxation

HB 461, introduced by Whalen, Menahan, Daily, Cohen, Grady, Nathe, referred to Committee on Judiciary

HB 462, introduced by Peck, Bardanouve, McCulloch, Stang, referred to Committee on Education and Cultural Resources

HB 463, introduced by Peck, Connelly, Darko, Grinde, Thoft, Quilici, Nathe, Williams, Daily, referred to Committee on Education and Cultural Resources

HB 464, introduced by Cromley, referred to Committee on Judiciary

HB 465, introduced by Thomas, R. Johnson, Williams, Blaylock, Driscoll, Squires, Wanzenried, Lynch, Thayer, Benedict, Nathe (by request of the Department of Labor), referred to Committee on Labor and Employment Relations

HB 466, introduced by Bachini, Stimatz, Steppler, Nathe, Scott, Galvin, J. DeBruycker, J. Brown, Peck, T. Nelson, Elliott, Cromley, L. Nelson, Hayne, Peterson, Tunby, Clark, Thayer, Benedict, Wallin, Hockett, Anderson, Swift, Mercer, Burnett, Connelly, referred to Committee on Judiciary

HB 467, introduced by Lee, referred to Committee on Judiciary

HB 468, introduced by Lee (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

HB 469, introduced by Bachini, Hockett, Peck, Williams, R. DeBruycker, Jergeson, Anderson, Nathe, Hammond, referred to Committee on Appropriations

HJR 14, introduced by Connelly, Lee, Wanzenried, Kennedy, Vaughn, Measure, Cohen, Harper, Boharski, Harp, Peterson, Thoft, Dowell, referred to Committee on Natural Resources

SPECIAL ORDERS OF THE DAY

The following sponsor was removed from HB 438: Doherty.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Thursday, January 31, 1991. Motion carried.

House adjourned at 2:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 31, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Reverend Tom Banks. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Spring, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twentieth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 1/31/91
Correctly printed: HB 150, HB 152, HB 203, HB 204, HB 272, HB 279, HB 297, HB 313, HB 323, HJR 7.
Correctly engrossed: HB 28, HB 59, HB 175, HB 189, HB 236, HB 237, HB 262, HJR 6, SB 20, SB 33.
Signed by the Speaker at 4:55 p.m., 1/30/91: SB 35.
Delivered to the Governor for his approval at 3:30 p.m., 1/30/91: HB 52.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 1/30/91
SB 36, third reading copy, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 1/31/91
HB 30, introduced bill, be amended as follows:

1. Title, line 13.
Following: "PROGRAM;"
Insert: "AMENDING SECTIONS 20-9-343 AND 20-9-344, MCA;"

2. Page 7, lines 10 and 11.
Following: "costs."
Strike: remainder of line 10 through "of" on line 11
Insert: "As a condition of participation in the network,"

3. Page 7, line 12.
Strike: "center"
Insert: "centers"
Strike: "college"
Insert: "colleges"

4. Page 7, lines 13 and 14.
Following: "funds"
Strike: remainder of line 13 through "entity" on line 14

5. Page 7, line 15.
Strike: "equivalent"
Insert: "not"
Following: "to"

Insert: "exceed"

6. Page 7, line 16.

Strike: "unit, center, or college"

Insert: "units, centers, or colleges"

7. Page 7, line 19.

Strike: "1991"

Insert: "1992 for the purposes of [section 2(4)]"

8. Page 8, line 3.

Insert: "Section 5. Section 20-9-343, MCA, is amended to read:

"20-9-343. Definition of and revenue for state equalization aid. (1) As used in this title, the term "state equalization aid" means the money deposited in the state special revenue fund as required in this section plus any legislative appropriation of money from other sources for distribution to the public schools for the purposes of payment of guaranteed tax base aid and equalization of the foundation program and for the Montana educational telecommunications network as provided in [section 1].

(2) The superintendent of public instruction may spend funds appropriated for state equalization aid as required for the purposes of guaranteed tax base aid and, the foundation program purposes, and the Montana educational telecommunications network, throughout the biennium.

(3) The following must be paid into the state special revenue fund for state equalization aid to public schools of the state:

(a) money received from the collection of income taxes under chapter 30 of Title 15, as provided by 15-1-501;

(b) except as provided in 15-31-702, money received from the collection of corporation license and income taxes under chapter 31 of Title 15, as provided by 15-1-501;

(c) money allocated to state equalization from the collection of the severance tax on coal;

(d) money received from the treasurer of the United States as the state's shares of oil, gas, and other mineral royalties under the federal Mineral Lands Leasing Act, as amended;

(e) interest and income money described in 20-9-341 and 20-9-342;

(f) money received from the state equalization aid levy under 20-9-360;

(g) income from the lottery, as provided in 23-5-1027;

(h) the surplus revenues collected by the counties for foundation program support according to 20-9-331 and 20-9-333;

(i) investment income earned by investing money in the state equalization aid account in the state special revenue fund; and

(j) 15% of the income and earnings of all coal severance tax funds as provided in 17-5-704(2).

(4) The superintendent of public instruction shall request the board of investments to invest the money in the state

equalization aid account to maximize investment earnings to the account.

(5) Any surplus revenue in the state equalization aid account in the second year of a biennium may be used to reduce any appropriation required for the next succeeding biennium."

Section 6. Section 20-9-344, MCA, is amended to read:

"20-9-344. Purpose of state equalization aid and duties of the board of public education for distribution -- conditions of first payment. (1) The money available for state equalization aid must be distributed and apportioned to provide:

(a) an annual minimum operating revenue for the elementary and high schools in each county, exclusive of revenues required for debt service and for the payment of any costs and expense incurred in connection with any adult education program, recreation program, school food services program, new buildings and grounds, and transportation; and

(b) the Montana educational telecommunications network as provided in [section 1].

(2) The board of public education shall administer and distribute the state equalization aid in the manner and with the powers and duties provided by law. To this end, the board of public education shall:

(a) adopt policies for regulating the distribution of state equalization aid in accordance with the provisions of law and in a manner that provides for monthly distribution to each district of its foundation program amount and to each county and district distribution of its guaranteed tax base aid;

(b) have the power to require reports from the county superintendents, budget boards, county treasurers, and trustees as it considers necessary; and

(c) order the superintendent of public instruction to distribute the state equalization aid on the basis of each district's annual entitlement to the aid as established by the superintendent of public instruction. In ordering the distribution of state equalization aid, the board of public education may not increase or decrease the state equalization aid distribution to any district on account of any difference that may occur during the school fiscal year between budgeted and actual receipts from any other source of school revenue.

(3) The board of public education may order the superintendent of public instruction to withhold distribution of state equalization aid or order the county superintendent of schools to withhold county equalization money from a district when the district fails to:

(a) submit reports or budgets as required by law or rules adopted by the board of public education; or

(b) maintain accredited status.

(4) Prior to any proposed order by the board of public education to withhold distribution of state equalization aid or county equalization money, the district is entitled to a contested case hearing before the board of public education, as provided under the Montana Administrative Procedure Act.

(5) If a district or county receives more state equalization aid than it is entitled to, the county treasurer shall return the overpayment to the state upon the request of the superintendent of public instruction in the manner prescribed by the department of commerce.

(6) (a) The first foundation program payment and guaranteed tax base aid payment must be based on an estimate of 20% of the entitlement of each district or county and distributed by July 15 of the school fiscal year.

(b) Each subsequent monthly payment must be at least 7% of the entitlement of each district or county."

Renumber: subsequent sections

9. Page 8, line 18.

Following: "year"

Insert: "for the purposes of [section 2(2)]"

And, as amended, do pass. Report adopted.

HB 105, introduced bill, be amended as follows:

1. Page 3, lines 16 and 17.

Strike: "WERE BASED ON GOOD CAUSE"

Insert: "were in compliance with the provisions of subsection (1)"

2. Page 3, line 25.

Strike: "BASED ON GOOD CAUSE"

Insert: "in compliance with the provisions of subsection (1)"

And, as amended, do pass. Report adopted.

HB 154, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "CONVERT"

Strike: "OR"

Insert: ", "

Following: "REMODEL"

Strike: "A BUS OR TO REPAIR"

Insert: ", REBUILD,"

2. Page 1, line 16.

Following: "conversion"

Strike: "or"

Insert: ", "

Following: "remodeling"

Insert: ", or rebuilding"

3. Page 1, line 17.

Strike: "repair or"

4. Page 2, line 9.

Strike: "or"

Insert: ", "

5. Page 2, line 10.

Following: "remodel"

Insert: ", or rebuild"

Strike: "repair or"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 254, do not pass.

FISH AND GAME (Elliott, Chairman):

1/30/91

HB 166, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "TO" on line 4

Strike: remainder of line 4 through "TO" on line 5

Insert: "ADDRESS"

2. Title, lines 7 through 10.

Following: "BY" on line 7

Strike: remainder of line 7 through "AMENDING" on line 10

Insert: "REPEALING"

3. Page 1, line 11.

Insert: "WHEREAS, the Montana Supreme Court in State v. Austin, 217 Mont. 265, 704 P.2d 55 (1985), held that section 87-3-122, MCA, violated equal protection by including wildlife in its purview and exempting landowners, lessees, and others on their own land since the statute was not rationally related to the state's interest in protecting its wildlife; and

WHEREAS, subsequent attempts to amend section 87-3-122, MCA, to conform to the court's decision have not been successful; and

WHEREAS, the Legislature considers it appropriate to remove the statute from the law while at the same time encouraging the Departments of Livestock and Fish, Wildlife, and Parks to work together to develop for future legislative consideration a viable spotlighting law that will address the concerns of the court and Montana landowners."

4. Page 1, line 13 through page 2, line 14.

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Repealer. Section 87-3-122, MCA, is repealed."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

1/30/91

HB 239, introduced bill, be amended as follows:

1. Page 1, line 22.

Following: line 21

Insert: "It is also the intent of the legislature that [sections 1 through 6] be implemented with minimum fiscal impact. The department and professional licensing boards shall ensure compliance with [sections 1 through 6] through the course of normal inspections, the existing licensing process, and the investigation of complaints. The department and professional licensing boards may impose and adjust annual fees commensurate with the costs of regulation and inspection."

2. Page 5, line 21.

Following: "treatment."

Insert: "A subsurface disposal system installed and operated in accordance with state or local sanitary regulations is, for the purpose of this subsection (b), a sewer system providing secondary treatment."

And, as amended, do pass. Report adopted.

HB 240, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

1/31/91

HB 257, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "DEPARTMENT"

2. Title, line 8.

Strike: "OF ADMINISTRATION"

Insert: "BOARD OF CRIME CONTROL"

3. Page 1.

Following: line 10

Insert:

"Statement of Intent

A statement of intent is required for this bill because [section 5] grants to the board of crime control authority to adopt rules necessary to implement the provisions of this bill.

It is the intent of the legislature that the rules promulgated by the board include, at a minimum, the development and implementation of:

(1) an information campaign to public safety officers that the purpose of the \$25,000 award provided by the bill is to recognize and honor public safety personnel killed in the line of duty;

(2) a simple and expeditious procedure for beneficiaries to collect the award, including a straightforward and simple application process;

(3) an awareness effort, to be conducted by the board, informing public safety officers of the program;

(4) a procedure for assisting beneficiaries in the application and payment process; and

(5) such other rules as may be necessary to implement the provisions of the bill."

4. Page 1, line 14

Page 2, line 2

Page 2, line 11

Page 2, line 15

Page 3, line 24

Page 4, line 8

Page 5, line 21

Page 6, line 1

Page 6, line 3

Page 6, line 7

Page 6, line 16

Strike: "8"

Insert: "7"

5. Page 1, line 18.

Strike: "public employees"

Insert: "persons"

6. Page 2, line 4

Page 3, line 19

Page 3, line 21

Page 4, line 24

Page 5, line 17

Page 5, line 20

Strike: "department"

Insert: "board"

7. Page 2, lines 16 and 17.

Following: "(1)"

Strike: the remainder of line 16 through "2-15-1001" on line 17

Insert: ""Board" means the board of crime control as provided in 2-15-2006"

8. Page 2, line 23.

Strike: "public employee"

Insert: "person"

9. Page 2, line 25.

Following: "employment"

Insert: "or as a volunteer"

Following: "provides"

Insert: "criminal investigation or"

10. Page 3, lines 10 through 12.

Following: "(e) an" on line 10

Strike: remainder of line 10 through line 12

Insert: "employee of or a volunteer for an emergency medical service, public or nonprofit, licensed by the department of health and environmental sciences under 50-6-306;"

11. Page 3, line 16.

Following: "19-11-102"

Insert: "; or

(g) an agent, as defined in 44-2-111, of the department of justice, except an agent assigned to investigate gambling activities in this state as provided in 23-5-113"

12. Page 5, line 18.

Strike: "[section 4]"

Insert: "this section"

13. Page 5, line 23.

Strike: "department's"

Insert: "board's"

14. Page 6.

Strike: lines 8 through 12 in their entirety

Renumber: subsequent sections

15. Page 6, lines 23 and 24.

Following: "4]" on line 23

Strike: the remainder of line 23 through "6]" on line 24

16. Page 7, line 21.

Following: "section"

Strike: "8"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 373, introduced bill, do pass. Report adopted.

Adverse Committee Report

HB 330, do not pass.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

1/30/91

HB 11, introduced by Pavlovich

HJR 3, introduced by J. Brown

HJR 5, introduced by Menahan

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

1/30/91

HB 113, introduced by Lee

Senate bills passed and transmitted to the House for concurrence:

1/30/91

SB 135, introduced by Kennedy

SB 140, introduced by Waterman

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 470, introduced by McCarthy, Lynch, Menahan, Nisbet, Ream, referred to Committee on Education and Cultural Resources

HB 471, introduced by R. Johnson, Halligan, referred to Committee on Business and Economic Development

HB 472, introduced by J. DeBruycker, Becker, Fagg, Messmore, Spring, Stickney, Russell, Swysgood, Brooke, Squires, Anderson, Yellowtail, Fritz (by request of the Commissioner of Political Practices), referred to Committee on State Administration

HB 473, introduced by Toole, Whalen, Svrcek, referred to Committee on Judiciary

HB 474, introduced by Toole, Brooke, Thoft, referred to Committee on Appropriations

HB 475, introduced by Grady, Weeding, Koehnke, Larson, Foster, Toole, Stimatz, Madison, J. DeBruycker, Noble, J. Rice, Knox, Ellis, Driscoll, referred to Committee on Highways and Transportation

HB 476, introduced by Cohen, referred to Committee on Natural Resources

HB 477, introduced by Kadas, Eck, Grinde, Harper, Mazurek, Doherty, Stang, Bradley, Driscoll, S. Rice, Bachini, Van Valkenburg, Svrcek, Halligan, Fritz, Darko, Crippen, Thomas, Towe, Cobb, Swysgood, Mercer, Harp, Tveit, D. Brown, Thayer, Benedict, Grady (by request of the Governor), referred to Committee on Business and Economic Development

HB 478, introduced by Bradley, Wyatt, Brooke, Ream, Blaylock, Van Valkenburg, Eck, Bianchi, Mazurek, referred to Committee on Business and Economic Development

HB 479, introduced by Hayne, Gage, R. Johnson, referred to Committee on Business and Economic Development

HB 480, introduced by Lee, referred to Committee on State Administration

HB 481, introduced by Wallin, referred to Committee on Taxation

HB 482, introduced by Peterson, Spring, Bergsagel, Cody, Scott, Stepler, M. Hanson, Zook, Darko, referred to Committee on Human Services and Aging

HB 483, introduced by Kadas, Manning, Kennedy, Williams, Driscoll, referred to Committee on Local Government

HB 484, introduced by Raney, Pinsonneault, referred to Committee on Natural Resources

HB 485, introduced by Raney, Harp, Stang, O'Keefe (by request of the Petroleum Tank Release Compensation Board), referred to Committee on Natural Resources

HB 486, introduced by Wanzienried, referred to Committee on Education and Cultural Resources

HB 487, introduced by Wyatt, Driscoll, Stepler, Clark, Forrester, G. Beck, Ellis, Ellison, Peterson, Stang, Strizich, Darko, Measure, D. Brown, referred to Committee on Local Government

HB 488, introduced by O'Keefe, Blaylock, Yellowtail, Harrington, Mazurek, referred to Committee on Human Services and Aging

HB 489, introduced by O'Keefe, Becker, Blaylock, Yellowtail, Harrington, Mazurek, referred to Committee on Human Services and Aging

HB 490, introduced by O'Keefe, Becker, Blaylock, Yellowtail, Harrington, Mazurek, referred to Committee on Human Services and Aging

HB 491, introduced by O'Keefe, Harrington, Yellowtail, Mazurek, referred to Committee on Human Services and Aging

HB 492, introduced by L. Nelson, referred to Committee on State Administration

HB 493, introduced by Cohen, Darko, D. Brown, Cocchiarella, Stickney, Becker, J. Brown, Ream, Strizich, Wyatt, referred to Committee on Judiciary

HB 494, introduced by O'Keefe, T. Nelson, Fagg, Connelly, Pipinich, J. Brown, Peck, Ream, Becker, Mercer, Rye, Gilbert, Strizich, Harper, Schye, referred to Committee on Highways and Transportation

HB 495, introduced by Harper, Hoffman, Burnett, R. DeBruycker, Grinde, Raney, Scott, Forrester, Squires, referred to Committee on Fish and Game

HB 496, introduced by Davis, referred to Committee on Highways and Transportation

HJR 15, introduced by Wallin, referred to Committee on Business and Economic Development

The following Senate bills were introduced, read first time, and referred to committee:

SB 135, introduced by Kennedy (by request of the Department of Commerce), referred to Committee on Human Services and Aging

SB 140, introduced by Waterman, Hockett, Nathe, Jacobson, J. Johnson, referred to Committee on Judiciary

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Simpkins in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 78 - Representative Boharski moved SB 78, third reading copy, be amended (amendment #1): Amendment #1 failed as follows: (37-62)

Representative Clark moved SB 78, third reading copy, be further amended (amendment #2). Amendment #2 failed as follows: (41-58)

SB 78 - Representative Russell moved SB 78 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott,

Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Peck, Peterson, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 36

Voted Absentee: Cody, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 142 - Representative Swysgood moved HB 142 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, Cody, Driscoll, Ellison, Gilbert, Kasten, Thoft.
Total 7

Voted Absentee: Cody, No.

Excused: None.
Total 0

Absent or not voting: Barnhart, H. S. Hanson.
Total 2

HB 307 - Representative Quilici moved HB 307 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Cody, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 61 - Representative Raney moved SB 61 be concurred in.

Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Scott.

Total 1

Excused: Cody.

Total 1

Absent or not voting: Boharski.

Total 1

HB 60 - Representative Harrington moved HB 60 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: Benedict, Boharski, Clark, R. DeBruycker, Ellison, Kasten, Simpkins, Zook.
Total 8

Excused: Cody.
Total 1

Absent or not voting: None.
Total 0

HB 173 - Representative Pavlovich moved HB 173 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker.
Total 1

Excused: Cody.
Total 1

Absent or not voting: Cohen.
Total 1

HB 228 - Representative Larson moved HB 228 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Feland, Kasten.

Total 2

Excused: Cody.

Total 1

Absent or not voting: Fagg, R. Johnson.

Total 2

HB 277 - Representative Stepler moved HB 277 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cohen, Measure, Mercer, Peck.

Total 4

Excused: Cody.

Total 1

Absent or not voting: Kasten.

Total 1

Representative Grinde in the Chair at this time.

HB 318 - Representative Kadas moved HB 318 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Peck.

Total 1

Excused: Cody.

Total 1

Absent or not voting: None.

Total 0

HB 325 - Representative Simpkins moved HB 325 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Elliott, Madison, McCulloch.

Total 3

Excused: Cody.

Total 1

Absent or not voting: Scott, Stang.

Total 2

Representative Simpkins resumed the Chair at this time.

HB 345 - Representative Quilici moved HB 345 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Cody.

Total 1

Absent or not voting: Davis, Kadas, Scott.

Total 3

HB 366 - Representative Driscoll moved consideration of HB 366 be passed for the day. Motion carried.

HB 43 - Representative Cobb moved Senate amendments to HB 43 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.
Total 0

Excused: Cody.
Total 1

Absent or not voting: R. Johnson, Kadas, Scott.
Total 3

SB 2 - Representative Whalen moved SB 2, third reading copy, be amended as follows (amendment #1):

1. Strike the following House Committee on Business and Economic Development amendments, dated January 30, 1991:

1. Title, lines 6 and 8.
Strike: "REPEALING"
Insert: "AMENDING"

2. Page 1, lines 18 and 19.
Strike: section 1 in its entirety
Insert: "Section 1. Section 13, Chapter 400, Laws of 1989, is amended to read:
 "Section 13. Termination. [This act] terminates October 1, 1991 1995.""

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, Pavlovich, Phillips, Simpkins, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 37

Excused: Cody.
Total 1

Absent or not voting: Feland, Scott.
Total 2

Representative Whalen moved SB 2, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Benedict, Bergsagel, Boharski, Cromley, J. DeBruycker, R. DeBruycker, Ellison, Gilbert, H. S. Hanson, Hoffman, R. Johnson, Kasten, Knox, T. Nelson, Simpkins, Thoft, Thomas, Tunby.
Total 19

Excused: Cody.
Total 1

Absent or not voting: Scott.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simpkins moved the adoption of the committee report. Report adopted. (85-13)

REPORTS OF STANDING COMMITTEES

JUDICIARY (Strizich, Chairman): 1/31/91
HB 269, introduced bill, do pass. Report adopted.
HB 270, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 497, introduced by Darko, Vaughn, O'Keefe, J. Rice, D. Brown, Cody, Nathe, McCaffree, Madison, Davis, J. DeBruycker, T. Beck, Strizich, Waterman, referred to Committee on Local Government
HB 498, introduced by Stepler, Hockett (by request of the Department of Natural Resources and Conservation), referred to Committee on Appropriations
HB 499, introduced by Wyatt, referred to Committee on Business and Economic Development
HB 500, introduced by Whalen, Fritz, referred to Committee on State Administration
HB 501, introduced by Schye, Lynch, referred to Committee on Judiciary
HB 502, introduced by Menahan, Driscoll, Squires, McCarthy, Pavlovich, Daily, Madison, Southworth, referred to Committee on State Administration

HB 503, introduced by Daily, Lynch, Harrington, Menahan, Pipinich, Strizich, Quilici, G. Beck, Southworth, McCarthy, Larson, Nisbet, Jacobson, Stimatz, D. Brown, Gervais, referred to Committee on Business and Economic Development

HB 504, introduced by Driscoll, Menahan, referred to Committee on State Administration

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 68 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 42

Excused: Cody.
Total 1

Absent or not voting: Bardanouve, Scott.
Total 2

HB 175 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, Russell, Schye, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller,

Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 41

Excused: Cody.

Total 1

Absent or not voting: Bardanouve, Fagg, S. Rice, Scott.

Total 4

HB 195 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, Grinde, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 39

Excused: Cody.

Total 1

Absent or not voting: Bardanouve, Scott.

Total 2

HB 18, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Hoffman, Peck, Peterson, Simpkins.
Total 5

Excused: Cody.
Total 1

Absent or not voting: M. Hanson, Scott.
Total 2

SB 20 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cohen.
Total 1

Excused: Cody.
Total 1

Absent or not voting: Ellison, Scott, Tunby.
Total 3

SB 33 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cody.
Total 1

Absent or not voting: Scott.
Total 1

MOTIONS

Representative Bachini moved HB 478 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Taxation. Motion carried.

Representative Cocchiarella moved she be allowed to change her vote on SB 78, second reading, from no to yes. Motion carried.

Representative Southworth moved the rules be suspended to allow him to be recorded as voting yes on SB 78, second reading. Motion carried.

Representative Peck moved HB 142 and HB 277 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Knox moved he be allowed to change his vote on HB 68, third reading, from yes to no. Motion carried.

Representative Driscoll moved SB 90 be taken from the Committee on State Administration and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of LC 883. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Friday, February 1, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 1, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Kimberley. Pledge of Allegiance to the Flag.

Roll call. All members present except Hoffman, Pavlovich, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/1/91
Correctly printed: HB 30, HB 105, HB 154, HB 166, HB 239, HB 240, HB 257, HB 269, HB 270, HB 373.
Correctly engrossed: HB 60, HB 173, HB 228, HB 307, HB 318, HB 325, HB 345, SB 2, SB 61, SB 78.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/1/91

Adverse Committee Report

HB 253, do not pass. This committee report replaces the standing committee report of January 31, 1991 on HB 254.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 1/31/91
HB 251, introduced bill, do pass. Report adopted.
HB 280, introduced bill, be amended as follows:

1. Page 2, line 10.
Following: line 9
Insert: "that the individual is able and qualified to perform"
2. Page 2, line 14.
Following: "the"
Insert: "modified or alternative"
3. Page 2, line 15.
Following: "available"
Insert: "for any reason"

And, as amended, do pass. Report adopted.

HB 256, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 2/1/91
HB 77, introduced bill, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 330 - Representative J. Brown moved the 1/31/91 adverse committee report on HB 330 be adopted.

Representative Cohen made a substitute motion the adverse committee report be not adopted and HB 330 be printed and placed on second reading. Motion failed as follows: (33-66)

Thereupon, the adverse committee report was adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: D. Brown, Cohen, Connelly, Daily, Kilpatrick, Kimberley, Measure, Nisbet, Southworth, Whalen.
Total 10

Excused: Pavlovich.
Total 1

Absent or not voting: Davis, Ellison, Gould, Larson, Toole.
Total 5

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/31/91

SB 83, introduced by Jergeson
SB 139, introduced by Grosfield
SB 147, introduced by Gage
SB 192, introduced by Farrell
SJR 6, introduced by Swift

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 505, introduced by Cobb, referred to Committee on Judiciary
HB 506, introduced by Cobb, referred to Committee on Labor and Employment Relations
HB 507, introduced by Cobb, referred to Committee on Education and Cultural Resources
HB 508, introduced by Kadas, Gage, Cobb, Williams, referred to Committee on Appropriations
HB 509, introduced by Swysgood, Hoffman, Devlin (by request of the Governor), referred to Committee on State Administration
HB 510, introduced by Nisbet, referred to Committee on Taxation

HB 511, introduced by R. Johnson, Clark, Thomas, Cobb (by request of the Department of Justice), referred to Committee on Appropriations

HB 512, introduced by Simpkins, referred to Committee on Appropriations

HB 513, introduced by Simpkins, referred to Committee on Taxation

HB 514, introduced by Menahan, Lynch, referred to Committee on State Administration

HB 515, introduced by Lee (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 516, introduced by Lee (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 517, introduced by Gould, Toole, Fritz, Eck, Nathe, referred to Committee on Local Government

HB 518, introduced by Messmore, Gilbert, Steppler, Lee, Thayer, Gage, Pavlovich, Quilici, referred to Committee on Taxation

HB 519, introduced by Dolezal (by request of the Board of Cosmetology), referred to Committee on Business and Economic Development

HB 520, introduced by Cocchiarella, Driscoll, Harper, Whalen, Squires, G. Beck, referred to Committee on State Administration

HB 521, introduced by Dolezal, Strizich (by request of the Department of Institutions), referred to Committee on Human Services and Aging

HB 522, introduced by Cobb, Thomas, Messmore, J. Brown, Nathe, referred to Committee on Appropriations

HB 523, introduced by Hansen, Cocchiarella, Schye, Forrester, S. Rice, referred to Committee on Education and Cultural Resources

HB 524, introduced by Raney, Grosfield, referred to Committee on Natural Resources

HB 525, introduced by T. Nelson, referred to Committee on Labor and Employment Relations

HB 526, introduced by Schye, referred to Committee on Fish and Game

HB 527, introduced by Phillips, Harper, G. Beck, Bergsagel, referred to Committee on Highways and Transportation

HB 528, introduced by Brooke, Yellowtail, Wyatt, Franklin, Fritz, Becker, Stickney, S. Rice, Squires, Van Valkenburg, J. Brown, Ream, Vaughn, Russell, Hansen, Cocchiarella, Messmore, Southworth, J. Johnson, Measure, Strizich, R. Johnson, referred to Committee on State Administration

HB 529, introduced by Feland (by request of the Department of Administration), referred to Committee on State Administration

HB 530, introduced by Brooke, Whalen, Stickney, Driscoll, Cocchiarella, Harrington, Menahan, Squires, Cohen, M. Hanson, Hager, referred to Committee on Human Services and Aging

HB 531, introduced by Phillips, referred to Committee on Labor and Employment Relations

HB 532, introduced by Southworth, Davis, Cohen, Measure, Menahan, Yellowtail, Strizich, referred to Committee on Taxation

HB 533, introduced by Harrington, Waterman, L. Nelson, Schye, Forrester, Darko, McCulloch, Tveit, Nathe, Clark, Peterson, referred to Committee on Education and Cultural Resources

HB 534, introduced by Spring, Barnett, Menahan, R. DeBruycker, referred to Committee on Education and Cultural Resources

HB 535, introduced by Toole, B. Brown, Bardanouve, Elliott, Towe, Barnhart, Lee, Davis, Svrcek, Fritz, Schye, Russell, Kimberley, Madison, S.

Rice, Dowell, Ream, Harper, Rye, referred to Committee on State Administration

HJR 16, introduced by Gervais, Russell, Yellowtail, Whalen, Strizich, Pavlovich, Daily, Stickney, Nisbet, Kilpatrick, Harding, Nathe, Williams, Gage, Pinsonneault, Schye, referred to Committee on Human Services and Aging

The following Senate bills were introduced, read first time, and referred to committee:

SB 83, introduced by Jergeson, Kimberley (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

SB 139, introduced by Grosfield (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources

SB 147, introduced by Gage (by request of the Department of Revenue), referred to Committee on Taxation

SB 192, introduced by Farrell (by request of the Public Employees' Retirement Board), referred to Committee on State Administration

SJR 6, introduced by Swift, Anderson, Gage, Halligan, B. Brown, Farrell, Thomas, referred to Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cohen in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 366 - Representative Russell moved HB 366 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Gilbert, Hayne, Hoffman, Keller, Knox, McCaffree, Phillips, Simpkins, Swysgood, Thoft, Thomas.

Total 19

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 150 - Representative Whalen moved HB 150 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Pavlovich.

Total 1

Absent or not voting: Toole.

Total 1

HB 152 - Representative Harrington moved HB 152 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bergsagel, Boharski, Clark, Ellison, Gilbert, M. Hanson, Hayne, Kasten, Lee, T. Nelson, Peterson, Simpkins, Swysgood, Thoft, Wallin.

Total 15

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 203 - Representative S. Rice moved HB 203 do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Boharski, Bradley, Brooke, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Galvin, Gervais, S. J. Hansen, R. Johnson, Kilpatrick, Kimberley, Knox, Madison, McCulloch, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 47

Noes: Barnett, Becker, Benedict, Bergsagel, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, J. DeBruycker, R. DeBruycker, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Larson, Lee, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 53

Voted Absentee: Pavlovich, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 204 - Representative S. Rice moved HB 204 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Clark, R. DeBruycker, Ellis, Hayne, Thoft.
Total 5

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Grady.
Total 1

HB 272 - Representative Bradley moved HB 272 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Pavlovich.
Total 1

Absent or not voting: Gervais.
Total 1

HB 279 - Representative Schye moved HB 279 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb.
Total 1

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Benedict, McCaffree.
Total 2

HB 297 - Representative Spring moved HB 297 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Peck.
Total 1

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Schye.
Total 1

HB 313 - Representative McCaffree moved HB 313 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne,

Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cody, L. Nelson, Nisbet.
Total 3

Excused: Pavlovich.
Total 1

Absent or not voting: S. Rice, Russell.
Total 2

HB 323 - Representative Driscoll moved HB 323 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Hayne.
Total 1

HB 113 - Representative Lee moved Senate amendments to HB 113 be concurred in.

Representative D. Brown made a substitute motion that Senate amendments to HB 113 be not concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bachini, Clark, Connelly, Fagg, Hoffman, Kadas, Lee, T. Nelson, Peck, Peterson, Phillips, Wallin.

Total 12

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

SB 36 - Representative Barnett moved SB 36 be concurred in.
Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Cody, Ellison, Peck.

Total 4

Excused: Pavlovich.

Total 1

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cohen moved the adoption of the committee report.

Representative Bachini made a substitute motion HB 203 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (63-35)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/1/91
Correctly printed: HB 251, HB 256.

JUDICIARY (Strizich, Chairman): 2/1/91
HB 292, introduced bill, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 2/1/91
HB 227, introduced bill, be amended as follows:

1. Page 1, line 23.
Following: "election."
Strike: "All electors"
Insert: "An elector"

2. Page 1, line 24.
Following: "who"
Strike: "reside"
Insert: "resides"

3. Page 1, lines 24 and 25.
Following: "district" on line 24
Strike: "are" through "including" on line 25
Insert: "or"

4. Page 2, line 3.
Following: "place"
Strike: ", regardless of whether he is registered to vote"
Insert: "is eligible to vote in the election"

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman): 2/1/91
HB 338, introduced bill, be amended as follows:

1. Title, line 13.
Strike: "1996"
Insert: "1995"

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 536, introduced by Bradley, Bianchi, Eck, Thayer, Bardanouve, Wallin, referred to Committee on Local Government

HB 537, introduced by Harper, Swysgood (by request of the Governor), referred to Committee on Natural Resources

HB 538, introduced by Bradley, Wallin, Driscoll, Stang, Lynch, Quilici, D. Brown, Davis, Squires, Kimberley, Grady, Bengtson, Harrington, Pinsoneault, Kilpatrick (by request of the Joint Interim Subcommittee on Marketing of Motor Fuels), referred to Committee on Business and Economic Development

HB 539, introduced by Daily, Raney, referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 28 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 97

Noes: Mr. Speaker.

Total 1

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: Harrington, S. Rice.

Total 2

HB 59 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, Boharski, Feland, Kasten, Lee, J. Rice, Simpkins, Spring, Stang, Stepler, Tunby, Wallin.
Total 12

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Southworth.
Total 1

HB 189 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: McCaffree.

Total 1

HB 236 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Peck.

Total 1

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: Fagg.

Total 1

HB 237 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Clark, Fagg.
Total 2

HB 262 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Feland, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bardanouve, Barnett, Bergsagel, Cody, Ellis, Foster, Gilbert, Grinde, Hayne, Kasten, Keller, Knox, L. Nelson, Peck, Phillips, Simpkins, Spring, Stepler, Swysgood, Wallin.
Total 20

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Fagg.
Total 1

HJR 6 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Benedict, R. DeBruycker, Grinde, M. Hanson, Hayne, Kasten, Knox, Peterson, J. Rice, Simpkins, Spring, Swysgood, Zook.
Total 13

Excused: Pavlovich.

Total 1

Absent or not voting: Ellis.

Total 1

HB 43, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Pavlovich.

Total 1

Absent or not voting: Toole.

Total 1

SB 2 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 81

Noes: Bachini, Benedict, Bergsagel, Boharski, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Galvin, Kasten, Knox, T. Nelson, Peck, Simpkins, Thoft, Thomas, Tunby, Zook.

Total 18

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: Feland.

Total 1

SB 61 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 78 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Pavlovich, Peck, Peterson, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 36

Voted Absentee: Pavlovich, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Peck moved HB 366 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 77 be taken from printing and rereferred to the Committee on Taxation. Motion carried.

Representative Driscoll moved SB 18 be taken from the Committee on Taxation and rereferred to the Committee on Natural Resources. Motion carried.

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of LC 1196. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, February 2, 1991. Motion carried.

House adjourned at 2:40 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 2, 1991

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Fagg. Pledge of Allegiance to the Flag.

Roll call. All members present except Bradley, Connelly, Dowell, Elliott, Grady, J. Johnson, Madison, Measure, Menahan, Schye, Whalen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/2/91
Correctly printed: HB 77, HB 227, HB 280, HB 292, HB 338.
Correctly engrossed: HB 150, HB 152, HB 204, HB 272, HB 279, HB 297,
HB 313, HB 323, SB 36.
Correctly enrolled: HB 18.
Signed by the Speaker at 3:00 p.m., 2/1/91: SB 45.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 2/1/91
SB 3, third reading copy, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 2/1/91
HB 331, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "REQUIRING"
Insert: "AUTHORIZING"
2. Title, line 5.
Strike: "NOT DISCLOSE"
Insert: "RESTRICT THE DISCLOSURE OF"
3. Title, lines 6 and 7.
Strike: "TO CERTAIN PERSONS REQUESTING THE INFORMATION FOR
COMMERCIAL PURPOSES"
Insert: "UPON REQUEST OF THE VEHICLE OWNER"
4. Page 1, line 10.
Following: line 9
Insert: "STATEMENT OF INTENT"

A statement of intent is required for this bill to provide guidelines for the adoption of administrative rules to implement 61-3-101(8). The department of justice is granted authority to reasonably restrict by rule the dissemination of vehicle registration information if the restriction is requested in writing by the vehicle owner and the department determines the demands of individual privacy clearly outweigh the merits of public disclosure."

5. Page 3, line 20
Following: "may" on line 20
Strike: remainder of line 20 in its entirety

Insert: ", by rule, reasonably restrict disclosure of"

6. Page 3, lines 21 through 23.

Following: "vehicle" on line 21

Strike: remainder of line 21 through line 23 in their entirety

And, as amended, do pass. Report adopted.

HB 348, introduced bill, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):

2/1/91

HB 107, second reading copy, be amended as follows:

1. Page 2, lines 8 through 11.

Following: "**PURCHASES.**" on line 8

Strike: remainder of line 8 through line 11 in their entirety

Insert: "As part of the department's bow and arrow licensing procedures, the department shall notify the public regarding bow hunter education requirements. As part of those public information efforts, the department shall notify by mail all individuals who purchased a Class A-2 special bow and arrow license during the 1990-91 hunting season."

2. Page 3, lines 10 and 11.

Strike: "11 years of age or older"

And, as amended, do pass. Report adopted.

HB 115, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Strike: "SPECIFYING" on line 5 through "OF" on line 7

Insert: "DEFINING"

2. Title, lines 9 through 12.

Strike: "REVISING" on line 9 through "PROGRAM;" on line 12

3. Page 3, line 2.

Following: "River."

Insert: "A paddlefish brought into the Intake fishing access site for cleaning or donation to the paddlefish roe donation program must be a properly tagged, whole paddlefish. Roe separated from the paddlefish is not acceptable for donation to the program. A paddlefish intentionally cut in any manner to identify its sex is also unacceptable for donation to the program."

4. Page 3, line 17.

Following: "of"

Insert: "costs of"

5. Page 3, lines 19 through 21.

Strike: "administrative" on line 19 through "(e)" on line 21

Insert: "administration"

6. Page 3, lines 22 and 23.

Following: "department."

Strike: "Administrative costs are not allowed to the department."

7. Page 4, line 6.

Following: "of"

Insert: "costs of"

8. Page 4, lines 8 through 10.

Strike: "administrative" on line 8 through "(e)" on line 10

Insert: "administration"

9. Page 4, line 13.

Strike: "two members"

Insert: "one member"

10. Page 4, line 15.

Strike: "one"

Insert: "two"

11. Page 4, line 16.

Strike: "representative"

Insert: "representatives"

12. Page 4, line 18.

Strike: "economic development,"

13. Page 4, line 22 through Page 5, line 4.

Strike: subsection (e) in its entirety

And, as amended, do pass. Report adopted.

HB 403, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 87-5-208"

2. Page 3, line 8.

Following: "(t)"

Insert: "(1)"

3. Page 3, line 13.

Following: "falconry"

Insert: "and set license qualifications and fees"

4. Page 3, line 15.

Following: "law"

Insert: "by being at least as restrictive"

5. Page 4, line 6.

Following: line 5

Insert: "(2) Licensees must have in possession a valid falconer's license when engaged in the practice of falconry. In addition, falconers loosing raptors at game birds must have in possession a valid resident or nonresident upland game bird license or waterfowl stamp, as appropriate.

(3) Falconry licenses or permits are not transferable and may be revoked for due cause at any time by the department."

6. Page 4, line 13.

Following: "permit."

Insert: "The commission may set permit qualifications and fees by rule."

7. Page 4, line 20.

Following: line 19

Insert: "(2) Captive breeding permits are not transferable and may be revoked at any time by the department for violation of any conditions of the permit or regulations of the commission."

Renumber: subsequent subsection

8. Page 5, line 1.

Following: "law"

Insert: "by being at least as restrictive"

9. Page 5, line 2.

Strike: "Sections"

Insert: "Section"

10. Page 5, line 3.

Strike: "and 87-5-208"

Following: "MCA,"

Strike: "are"

Insert: "is"

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 253 - Representative Davis moved the 2/1/91 adverse committee report on HB 253 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCarthy, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 53

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee,

McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Voted Absentee: J. Johnson, Aye.

Excused: Bradley, Connelly, Dowell, Grady, Madison, Menahan, Schye.
Total 7

Absent or not voting: None.
Total 0

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:
2/1/91

SB 1, introduced by Mazurek

SB 30, introduced by Towe

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620
February 1, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 52 and 66 on February 1, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 540, introduced by Simpkins, Peck, Bardanouve, Nisbet, Thomas, Phillips, Zook, Knox, Lee, Thayer, Messmore, T. Nelson, Bergsagel, Nathe, R. DeBruycker, M. Hanson, Stepler, Keating, Wallin, Keller, Spring, L. Nelson, Ellis, Foster, Cody, Thoft, Swysgood, referred to Committee on Education and Cultural Resources

HB 541, introduced by Kadas, Doherty, Whalen, Strizich, Crippen, Southworth, Rye, Driscoll, referred to Committee on Business and Economic Development

HB 542, introduced by Kadas, referred to Committee on Local Government

HB 543, introduced by Darko, Peterson, Vaughn, Raney, Brooke, Wyatt, Russell, Gilbert, R. Johnson, Mercer, Cocchiarella, Kimberley, J. Rice, Messmore, referred to Committee on Taxation

HB 544, introduced by Gould (by request of the Department of Justice), referred to Committee on Appropriations

HB 545, introduced by T. Nelson (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

HB 546, introduced by Larson, Whalen, Hansen, Davis, Pavlovich, Connelly, Peck, Gervais, Ellis, Bachini, referred to Committee on Judiciary

HB 547, introduced by M. Hanson, Zook, Anderson, Burnett, Benedict, Grady, Kasten, McCaffree, T. Nelson, Devlin, Nathe, referred to Committee on Taxation

HB 548, introduced by Brooke, Becker, Russell, Halligan, Van Valkenburg, Quilici, referred to Committee on Human Services and Aging

HB 549, introduced by Grady, Anderson, T. Beck, Steppler, Raney, L. Nelson, Elliott, Driscoll, Gilbert, Hayne, M. Hanson, Yellowtail, Weeding, Bengtson, McCaffree, referred to Committee on Agriculture, Livestock, and Irrigation

HB 550, introduced by Grady, Harding, Weeding, Schye, Bengtson, Quilici, referred to Committee on Taxation

HB 551, introduced by O'Keefe (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources

HB 552, introduced by Cromley, Measure, Mazurek, Benedict, J. Rice, Harper, referred to Committee on Business and Economic Development

HB 553, introduced by Harrington, Menahan, McCarthy, Lynch, Nisbet, Schye, Quilici, Darko, D. Brown, Daily, Kilpatrick, O'Keefe, McCulloch, Peterson, J. Johnson, Ream, Driscoll, Jacobson, referred to Committee on State Administration

HB 554, introduced by Benedict, referred to Committee on Judiciary

HB 555, introduced by Hoffman (by request of the Department of Justice), referred to Committee on Judiciary

HB 556, introduced by Ream, Svrcek, referred to Committee on Fish and Game

HB 557, introduced by Ream, Halligan, referred to Committee on Highways and Transportation

HB 558, introduced by Ream, B. Brown, referred to Committee on Taxation

HB 559, introduced by Fagg, Van Valkenburg, O'Keefe (by request of the Department of Justice), referred to Committee on Judiciary

HB 560, introduced by Stang, Cocchiarella, Daily, Svrcek, referred to Committee on Highways and Transportation

HB 561, introduced by Stang, referred to Committee on Highways and Transportation

The following Senate bills were introduced, read first time, and referred to committee:

SB 1, introduced by Mazurek, referred to Committee on Judiciary

SB 30, introduced by Towe, referred to Committee on Labor and Employment Relations

February 2, 1991

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 105 - Representative Daily moved HB 105, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 12.

Following: "as"

Strike: "or more than"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 89

Noes: Peck.

Total 1

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Madison, Menahan, Schye.

Total 8

Absent or not voting: Gervais, Mr. Speaker.

Total 2

Representative L. Nelson moved HB 105, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore,

L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bachini, Barnhart, D. Brown, Daily, Davis, Harrington, J. Johnson, McCarthy, Menahan, Pavlovich, Peck, Ream, Simpkins, Stang, Swysgood.

Total 15

Voted Absentee: Bradley, Dowell, Gervais, Madison, Ayes; J. Johnson, Menahan, Noes.

Excused: Connelly, Grady, Schye.

Total 3

Absent or not voting: None.

Total 0

HB 154 - Representative Forrester moved HB 154 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Dowell, Gervais, J. Johnson, Madison, Menahan, Schye, Ayes.

Excused: Bradley, Connelly, Grady.

Total 3

Absent or not voting: None.

Total 0

HB 166 - Representative Keller moved HB 166 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Southworth, Toole.
Total 2

Voted Absentee: Gervais, Madison, Menahan, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Schye.
Total 6

Absent or not voting: None.
Total 0

HB 203 - Representative Bachini moved consideration of HB 203 be passed for the day. Motion carried.

HB 239 - Representative Raney moved HB 239 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cody, R. DeBruycker, Hoffman, Kasten, L. Nelson.
Total 5

Voted Absentee: Bradley, Connelly, Dowell, Gervais, J. Johnson, Madison, Menahan, Schye, Ayes.

Excused: Grady.

Total 1

Absent or not voting: Foster.

Total 1

HB 240 - Representative Raney moved HB 240 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.

Total 86

Noes: Clark, R. DeBruycker, Grinde, Kasten, Knox, Scott, Simpkins, Spring, Stepler, Zook.

Total 10

Voted Absentee: Bradley, Connelly, Dowell, Gervais, Madison, Menahan, Ayes.

Excused: Grady, J. Johnson, Schye.

Total 3

Absent or not voting: Whalen.

Total 1

HB 251 - Representative Driscoll moved HB 251 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.
Total 0

Voted Absentee: Connelly, Gervais, Menahan, Schye, Ayes.

Excused: Bradley, Dowell, Grady, J. Johnson, Madison.
Total 5

Absent or not voting: None.
Total 0

HB 256 - Representative Driscoll moved HB 256 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Voted Absentee: Connelly, Gervais, Menahan, Schye, Ayes.

Excused: Bradley, Dowell, Grady, J. Johnson, Madison.
Total 5

Absent or not voting: None.
Total 0

HB 257 - Representative Gilbert moved HB 257 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye,

Scott, Simpkins, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Kasten.

Total 1

Voted Absentee: Connelly, Dowell, Gervais, J. Johnson, Madison, Menahan, Schye, Ayes.

Excused: Bradley, Grady.

Total 2

Absent or not voting: Southworth, Spring.

Total 2

HB 269 - Representative Cocchiarella moved HB 269 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bergsagel, D. Brown, Driscoll, S. J. Hansen.

Total 4

Voted Absentee: Bradley, Connelly, Dowell, Gervais, Madison, Menahan, Schye, Ayes.

Excused: Grady, J. Johnson.

Total 2

Absent or not voting: None.

Total 0

HB 270 - Representative Cocchiarella moved HB 270 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellison, Fagg, Feland, Forrester,

Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, D. Brown, Driscoll, Measure.
Total 4

Voted Absentee: Bradley, Connelly, Dowell, Gervais, Madison, Menahan, Schye, Ayes.

Excused: Grady, J. Johnson.
Total 2

Absent or not voting: Ellis.
Total 1

HB 373 - Representative O'Keefe moved HB 373 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Bradley, Connelly, Dowell, Gervais, J. Johnson, Madison, Schye, Ayes.

Excused: Grady, Menahan.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman moved the adoption of the committee report. Report adopted. (90-0)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/2/91
Examined by the sponsor and found to be correct:
HB 18 - Driscoll
Signed by the Speaker at 9:40 a.m., 2/2/91: HB 18.

NATURAL RESOURCES (Raney, Chairman): 2/2/91
HB 266, introduced bill, be amended as follows:

1. Page 7, line 8.
Following: "beginning"
Strike: "surface coal"
Insert: "strip- or underground-coal-"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

HB 562, introduced by Cohen, Raney, O'Keefe, Southworth, Davis, Brooke, Ream, Fagg, referred to Committee on State Administration

HB 563, introduced by Knox, Zook, Simpkins, Barnett, H.S. Hanson, Bergsagel, referred to Committee on Fish and Game

HB 564, introduced by Cocchiarella, Yellowtail, Stickney, Cody, Kilpatrick, Russell, Dowell, Benedict, Darko, Farrell, Halligan, Waterman, Raney, Keating, Hoffman, J. Rice, Schye, Bradley, Cobb, Zook, Lee, Brooke, Strizich, Menahan, Wyatt, Thomas, Daily, Gervais, L. Nelson, Harper, Connelly, Steppler, Scott, J. DeBruycker, Stang (by request of the Department of Family Services), referred to Committee on Human Services and Aging

HB 565, introduced by Daily, referred to Committee on Natural Resources

HB 566, introduced by T. Nelson, Rye, referred to Committee on Business and Economic Development

HJR 17, introduced by Larson, Measure, Gilbert, Pinsoneault, Cohen, Kadas, Davis, Wanzenried, Mercer, Lee, Harding, B. Brown, referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 60 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley,

Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 87

Noes: Benedict, Boharski, Clark, R. DeBruycker, Ellison, Kasten, Simpkins, Zook.
Total 8

Voted Absentee: Gervais, Madison, Menahan, Schye, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson.
Total 5

Absent or not voting: None.
Total 0

HB 173 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: R. DeBruycker.
Total 1

Voted Absentee: Gervais, Madison, Menahan, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Schye.
Total 6

Absent or not voting: None.
Total 0

HB 228 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 92

Noes: Kasten.
Total 1

Voted Absentee: Gervais, Madison, Menahan, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Schye.
Total 6

Absent or not voting: Mr. Speaker.
Total 1

HB 307 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Voted Absentee: Gervais, Madison, Menahan, Schye, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson.
Total 5

Absent or not voting: None.

Total 0

HB 318 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 93

Noes: None.

Total 0

Voted Absentee: Gervais, Madison, Menahan, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Schye.
Total 6

Absent or not voting: Mr. Speaker.

Total 1

HB 325 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Madison.

Total 1

Voted Absentee: Gervais, Menahan, Ayes; Madison, No.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Schye.
Total 6

Absent or not voting: None.
Total 0

HB 345 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Voted Absentee: Gervais, Madison, Menahan, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Schye.
Total 6

Absent or not voting: None.
Total 0

SB 36 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, Cody, J. DeBruycker, Grinde, Lee, Peck.
Total 6

Voted Absentee: Gervais, Madison, Menahan, Ayes.

Excused: Bradley, Connelly, Dowell, Grady, J. Johnson, Schye.
Total 6

Absent or not voting: None.
Total 0

MOTIONS

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of LC 1115. Motion carried.

Representative Driscoll moved the rules be suspended to allow the sponsor of HB 30 longer than five minutes for opening remarks to permit the viewing of a video on telecommunications during second reading on Monday, 2/4/91, the 25th legislative day. Motion carried.

Representative Peck moved HB 251 and HB 257 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Ream moved the rules be suspended to permit the late drafting and introduction of LC 953 and LC 956. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Monday, February 4, 1991. Motion carried.

House adjourned at 9:25 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 4, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Madison. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/4/91

Correctly printed: HB 107, HB 115, HB 266, HB 331, HB 348, HB 403.

Correctly engrossed: HB 105, HB 154, HB 166, HB 239, HB 240, HB 256,
HB 269, HB 270, HB 373.

Correctly enrolled: HB 11, HB 80, HB 85, HJR 3, HJR 5.

Examined by the sponsor and found to be correct:

HB 11 - Pavlovich

HB 80 - Nisbet

HB 85 - Stang

HJR 3 - J. Brown

HJR 5 - Menahan

Delivered to the Governor for his approval at 9:33 a.m., 2/2/91: HB 18.

HUMAN SERVICES AND AGING (Russell, Chairman): 2/4/91

HB 326, introduced bill, be amended as follows:

1. Page 2, lines 8 and 9.

Strike: "executor, administrator,"

Insert: "personal representative"

Following: "veteran's"

Strike: " "

2. Page 2, line 18.

Strike: "executor, administrator,"

Insert: "personal representative"

3. Page 4, line 14.

Strike: "record"

Insert: "book required to be kept by the clerk of the board of county commissioners by 10-2-504"

And, as amended, do pass. Report adopted.

HB 341, introduced bill, be amended as follows:

1. Title, lines 15 and 16.

Strike: "REVISING EXAMINATION PROCEDURES;"

Title, lines 16 and 17.

Following: "37-11-101", line 16

Strike: " ,"

Insert: "AND"

Strike: "AND 37-11-304;" on line 17

Page 6, line 4.

Strike: "or"

2. Page 6, line 6.

Following: "~~masseurs~~"

Insert: ", or massage therapists, to the extent they do massage"

3. Page 6, line 7 through page 7 line 1.

Following: line 6

Strike: section 5 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 376, introduced bill, be amended as follows:

1. Page 4, line 6.

Strike: ":",

2. Page 4, lines 7 through 11.

Strike: lines 7 through 11

3. Page 4, line 12.

Strike: "(c)"

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

2/4/91

HB 252, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "45"

Insert: "30"

2. Page 2, line 6.

Page 4, line 23.

Strike: "~~45~~"

Insert: "30"

3. Page 2, line 10.

Page 5, line 1.

Strike: "~~45-day~~"

Insert: "30-day"

And, as amended, do pass. Report adopted.

HB 286, introduced bill, do pass. Report adopted.

HB 303, introduced bill, be amended as follows:

1. Title, lines 4 through 6.

Following: "PROVIDING"

Strike: "IMMUNITY" on line 4 through "IMMUNITY" on line 6

Insert: "THAT IT IS LAWFUL FOR A TELEPHONE COMPANY OR TELECOMMUNICATIONS PROVIDER TO RELEASE IN GOOD FAITH TO PERSONNEL OF EMERGENCY COMMUNICATIONS SYSTEMS INFORMATION NOT IN THE PUBLIC RECORD, INCLUDING BUT NOT LIMITED TO UNPUBLISHED OR UNLISTED TELEPHONE NUMBERS"

2. Page 1, line 12.

Following: "companies"

Strike: "providing"

Insert: "and telecommunications providers may lawfully provide to"

3. Page 1, lines 13 through 15.

Following: "systems"

Strike: "and related" on line 13 through "statute" on line 15

Insert: "information not in the public record, including but not limited to unpublished or unlisted telephone numbers, if the information is provided in good faith"

4. Page 1, line 19.

Strike: "immunity -- exceptions. (1) A"

Insert: "lawful release of information. It is lawful for a"

5. Page 1, lines 20 and 21.

Following: "provider"

Strike: "is not liable to any person for the good faith"

Insert: "to"

Following: "release"

Insert: "in good faith"

6. Page 1, line 22.

Strike: "of"

7. Page 1, line 25 through page 2, line 13.

Strike: subsections (2) and (3) in their entirety

And, as amended, do pass. Report adopted.

HB 311, introduced bill, do pass. Report adopted.

HB 333, introduced bill, do pass. Report adopted.

HB 353, introduced bill, be amended as follows:

1. Page 2, line 3.

Strike: "may"

Insert: "shall"

2. Page 2, line 22.

Following: "office:"

Insert: "If the appointee is not confirmed, the office shall be vacant and a replacement shall be made under the procedures provided for in this section. The appointee shall serve until the next general election and until a successor is elected and qualified. The person elected or retained at that general election shall serve until the

expiration of the term for which his predecessor was elected. No appointee, whether confirmed or unconfirmed, shall serve past the term of his predecessor without standing for election.

(3) If an incumbent files for election and there is no election contest for the office, the name of the incumbent shall nevertheless be placed on the general election ballot to allow the voters of the state or district to approve or reject him. If an incumbent is rejected, the vacancy in the office for which the election was held shall be filled as provided in subsection (2)."

And, as amended, do pass. Report adopted.

HB 379, introduced bill, be amended as follows:

1. Page 3, line 4.

Following: "persons"

Insert: "on parole or"

And, as amended, do pass. Report adopted.

SB 6, third reading copy, be concurred in. Report adopted.

SJR 1, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/2/91

SB 77, introduced by Koehnke

SB 84, introduced by Jacobson

SB 97, introduced by T. Beck

SB 110, introduced by Keating

SB 156, introduced by Doherty

SB 157, introduced by Vaughn

SB 167, introduced by Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 567, introduced by Fagg, Measure, Cohen, Toole, Doherty, Hager, Hoffman (by request of the Department of Justice), referred to Committee on Judiciary

HB 568, introduced by J. Rice, referred to Committee on Appropriations

HB 569, introduced by J. Rice, Waterman, referred to Committee on Highways and Transportation

HB 570, introduced by J. Rice (by request of the Department of Justice), referred to Committee on Highways and Transportation

HB 571, introduced by J. Rice (by request of the Department of Justice), referred to Committee on Highways and Transportation

HB 572, introduced by J. Rice (by request of the Department of Justice), referred to Committee on Highways and Transportation

HB 573, introduced by J. Rice (by request of the Department of Justice), referred to Committee on Highways and Transportation

HB 574, introduced by Thoft, Harper, referred to Committee on Agriculture, Livestock, and Irrigation

HB 575, introduced by O'Keefe, Svrcek, Wallin, Harp (by request of the Department of Justice), referred to Committee on Highways and Transportation

HB 576, introduced by Harper, Measure, Raney, Lee, Hoffman, Wanzenried, Kadas, Driscoll, Wallin, Thoft, referred to Committee on Fish and Game

HB 577, introduced by Harper, Mercer, O'Keefe, Becker, Ream, Boharski, Cody, Harrington, J. Brown, Connelly, Peck, Barnhart, Bradley, Kadas, Benedict, Zook, Phillips, Lee, R. Johnson, Clark, Cobb, Simpkins, Knox, Driscoll, D. Brown, Russell, Stickney, Thomas, Kilpatrick, Larson, Toole, Squires, Stepler, Nisbet, J. DeBruycker, Foster, S. Rice, referred to Committee on State Administration

HB 578, introduced by G. Beck, Lynch, Menahan, Madison, Daily, Quilici, D. Brown, Strizich, Harrington, T. Beck, Pavlovich, referred to Committee on State Administration

HB 579, introduced by Driscoll, McCaffree, Stang, Whalen, Boharski, Keating, Harding, Harp, O'Keefe, Grinde, Svrcek, D. Brown, Nathe, Daily, Madison, referred to Committee on Highways and Transportation

HB 580, introduced by Schye (by request of the Revenue Oversight Committee), referred to Committee on Taxation

HB 581, introduced by Strizich, referred to Committee on Judiciary

HB 582, introduced by Stickney, L. Nelson, Davis, referred to Committee on Education and Cultural Resources

HB 583, introduced by Benedict, referred to Committee on Fish and Game

HB 584, introduced by Southworth, Whalen, Toole, Driscoll, Daily, J. Rice, referred to Committee on Judiciary

HB 585, introduced by Nisbet, Peck, Dolezal, Peterson, Blaylock, Cocchiarella, Towe (by request of the Teachers' Retirement Board), referred to Committee on State Administration

HB 586, introduced by Swysgood (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources

The following Senate bills were introduced, read first time, and referred to committee:

SB 77, introduced by Koehnke, Schye, Anderson, Foster, Swift, Burnett, Rea, Svrcek, referred to Committee on Taxation

SB 84, introduced by Jacobson, Darko, Stickney, Cohen, McCarthy, Brooke, Wyatt, Kadas, Ream, Bachini, L. Nelson, Raney, Blaylock, Hansen, Squires, Barnhart, Schye, Bianchi, Franklin, Wanzenried, Manning, S. Rice, Russell, Doherty, Towe, Harper, J. Brown, Harrington, O'Keefe, Driscoll, Bradley, Measure, Strizich, Davis, Cocchiarella, Toole, Connelly, J. Johnson, Yellowtail, Van Valkenburg, Kimberley, Eck, Pavlovich, Cobb, Lynch, Vaughn, Waterman, referred to Committee on Education and Cultural Resources

SB 97, introduced by T. Beck, McCaffree, referred to Committee on Fish and Game

SB 110, introduced by Keating, Kadas, Pavlovich, Cobb, Svrcek, Jergeson (by request of the Legislative Audit Committee), referred to Committee on Taxation

SB 156, introduced by Doherty, Cocchiarella, T. Beck, J. Brown, Becker, Squires, Jergeson, Grady (by request of the Secretary of State), referred to Committee on State Administration

SB 157, introduced by Vaughn, J. Brown, Becker, Cocchiarella (by request of the Secretary of State), referred to Committee on State Administration

SB 167, introduced by Gage (by request of the Public Employees' Retirement Board), referred to Committee on State Administration

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Toole in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 30 - Representative Peck moved HB 30 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bardanouve, Bergsagel, R. DeBruycker, Feland, Grinde, Hayne, Simpkins.

Total 7

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 203 - Representative S. Rice moved consideration of HB 203 be passed for the day. Motion carried.

HB 227 - Representative Larson moved HB 227 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: J. DeBruycker, R. DeBruycker, Kadas.
Total 3

Voted Absentee: Cohen, Aye.

Excused: None.
Total 0

Absent or not voting: M. Hanson, Toole.
Total 2

HB 280 - Representative Thomas moved HB 280 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: J. Rice.
Total 1

Excused: Cohen.
Total 1

Absent or not voting: None.

Total 0

HB 292 - Representative Benedict moved HB 292 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb, McCaffree, Stang.

Total 3

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

HB 338 - Representative Ream moved consideration of HB 338 be passed for the day. Motion carried.

HJR 7 - Representative Larson moved HJR 7 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.
Total 0

Voted Absentee: Cohen, Aye.

Excused: None.
Total 0

Absent or not voting: Ellis.
Total 1

SB 3 - Representative L. Nelson moved SB 3 be concurred in.
Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 84

Noes: Barnett, Benedict, Clark, R. DeBruycker, Ellis, Feland, Grinde, Hayne, Hoffman, Keller, Phillips, Spring, Swysgood, Thomas, Wallin, Zook.
Total 16

Voted Absentee: Cohen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Toole moved the adoption of the committee report. Report adopted. (97-0)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/4/91
Signed by the Speaker at 1:45 p.m., 2/4/91: HB 11, HB 80, HB 85, HJR 3, HJR 5, SB 20.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

HB 587, introduced by R. Johnson, referred to Committee on Business and Economic Development

HB 588, introduced by Davis, referred to Committee on Highways and Transportation

HB 589, introduced by Peck, Nisbet, Kimberley, Driscoll, Harper, Zook, Phillips, referred to Committee on Education and Cultural Resources

HB 590, introduced by Southworth, Driscoll, Whalen, Scott, G. Beck, Kilpatrick, Pavlovich, referred to Committee on Business and Economic Development

HB 591, introduced by Southworth, Driscoll, Scott, Whalen, G. Beck, Kilpatrick, Pavlovich, referred to Committee on Taxation

HB 592, introduced by Cromley, referred to Committee on Human Services and Aging

HB 593, introduced by Larson, Gould, Bergsagel, Toole, referred to Committee on Highways and Transportation

HB 594, introduced by Gould, Peterson, Driscoll, Lynch, Clark, Kennedy, Darko, Rea, J. Rice, Harper, Crippen, Mazurek, Tveit, B. Brown, Grosfield, M. Hanson, Yellowtail, Keating, D. Brown, Pipinich, Swift, Thomas, Stang, Boharski, Mercer, referred to Committee on Fish and Game

HB 595, introduced by Strizich, Harper, Ream, referred to Committee on State Administration

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 150 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: J. DeBruycker, Ream.

Total 2

HB 152 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook.

Total 80

Noes: Barnett, Bergsagel, Boharski, Clark, Ellison, Gilbert, M. Hanson, Hayne, Kasten, Keller, Lee, L. Nelson, T. Nelson, Peterson, Simpkins, Swysgood, Thoft, Wallin.

Total 18

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: J. DeBruycker, Mr. Speaker.

Total 2

HB 204 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 97

Noes: R. DeBruycker.

Total 1

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: Toole, Mr. Speaker.

Total 2

HB 272 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 279 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: Keller, Quilici.

Total 2

HB 297 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzanried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 313 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft,

Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cody, Connelly, Measure, Nisbet.

Total 4

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: J. DeBruycker.

Total 1

HB 323 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Cohen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Peck moved HB 30 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 113. Motion carried.

Representative Boharski moved the rules be suspended to permit the late drafting and introduction of a bill. Motion carried.

Representative Schye moved HB 526 be taken from the Committee on Fish and Game and rereferred to the Committee on Taxation. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/4/91
Delivered to the Governor for his approval at 2:40 p.m., 2/4/91: HB 11, HB 80, HB 85.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 104: Bruski.

Mr. Speaker appointed the following members to a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 113:

Representative Wyatt, Chairman
Representative Toole
Representative Lee

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Speaker Harper introduced this week's pages:

Marsha Brothers, Kalispell
David Cummings, Kalispell
Amy Inman, Billings
Sarah Krause, Lavina
Kelsey Largent, Charlo
Lynette McNeil, Savage
Curt Swenson, Shelby
Andy Zook, Miles City

Representative Driscoll moved the House adjourn until 11:15 a.m., Tuesday, February 5, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 5, 1991

House Chambers
State Capitol

House convened at 11:15 a.m. Mr. Speaker in the Chair.

Roll call. All members present except D. Brown, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Regan admitted the Senate to the House chamber.

Mr. Speaker introduced President Mazurek and yielded the Chair to him.

Senator Van Valkenburg moved the body resolve itself into a joint session for the purpose of receiving the State of the Judiciary Address from the Honorable Supreme Court of the State of Montana.
Motion carried.

Invocation by Father Eugene Peoples. Pledge of Allegiance to the Flag.

Senator Van Valkenburg moved President Mazurek be authorized to appoint a committee of four to notify the Honorable Chief Justice and Justices of the Supreme Court of the State of Montana that we are in joint session and ready to receive the State of the Judiciary Address. Motion carried.

President Mazurek appointed Senators Pinsonneault and Harding and Representatives Keller and Bradley and discharged them to escort the Honorable Chief Justice and Justices to the House chamber.

The escort committee escorted the Justices to their seats and Chief Justice Turnage to the rostrum.

President Mazurek introduced the Justices of the State of Montana: Honorable William E. Hunt, Sr.; Honorable John C. Harrison; Honorable Fred J. Weber; Honorable R. C. McDonough; Honorable Terry Trieweller and Honorable Jean A. Turnage, Chief Justice of the Supreme Court.

The Honorable Jean A. Turnage delivered the following address:

STATE OF THE JUDICIARY ADDRESS

HONORABLE J. A. TURNAGE
CHIEF JUSTICE
MONTANA SUPREME COURT

A Report to a Joint Session
of the 52nd Legislature

February 5, 1991

Thank you President Mazurek, Speaker Harper, Leaders of the Democratic and Republican Parties of the House and Senate, Members and staff of the 52nd Legislature, distinguished guests, ladies and gentlemen.

On behalf of the entire Court, I would like to thank you for allowing me this opportunity to speak before this 52nd assembly of the Montana Legislature. As a former member of the Legislature, I appreciate all the more the opportunity to be among old friends and to have the chance to meet new ones. I understand that there are 47 new members of the Legislature. To all the new members -- and to the veterans who have been here before -- I would like to extend an open invitation to visit the offices and members of the Supreme Court. If you have a chance during the Session -- please come by.

This honor to speak before you today is also an opportunity. In the few minutes available, I would like to provide a brief overview of your judicial system; what it has accomplished in the past two years, what it should accomplish in the next two years, and to ask for your support in providing Montanans with a healthy court system.

As we begin this last decade of the 20th century, we have a court system that is relatively healthy.

At the Supreme Court, the 1990 caseload is near historic highs; there were 633 new filings and 387 formal opinions issued. In addition, approximately 250 other cases or proceedings such as petitions for habeas corpus, post-conviction relief and extraordinary writs were disposed of by the Court. Notwithstanding this caseload, there is little delay in adjudicating cases. This is due in large part to the diligence of seven Justices and their staff, and because the Court has adopted a number of changes over the past few years meant to improve caseload administration. Changes have included the use of abbreviated, noncitable opinions, changes in internal operating rules, and adoption of a classification system for cases that reduces work duplication and conserves resources.

This heavy caseload can only be handled because we have a 7-member court.

District Courts in Montana likewise have a large caseload -- although the type of case mix is changing. The criminal caseload in District Courts has increased almost 15% since 1987. Civil cases statewide have fallen 13% over the same period. District Court Judges worked very hard in the past biennium keeping up with new cases. Just as importantly, they have reduced the total number of pending cases by about 8%.

It is in the Courts of Limited Jurisdiction -- Justice of the Peace and City and Municipal Courts -- that most Montanans see their Judicial System up close. With about 120 judges, these courts handle close to 300,000 cases a year. These judges are to be commended for their dedication, hard work, and attention to detail. Their commitment to professionalism is high on the list of accomplishments this biennium. For example, Limited Jurisdiction Judges participated in more than 50 hours of training this year and completed a grueling certification test.

There are many other actors in the Judiciary who play a crucial role in providing justice in Montana. I cannot mention them all. But let me highlight three organizations that are vitally important.

The Supreme Court's Commission on Practice is charged with investigating complaints against attorneys. The Supreme Court is serious about lawyer discipline.

The Commission has seen an increase in its caseload in the past five years of 55%. The members of this Commission spend literally hundreds of hours each year -- for no remuneration -- policing the practice of law in our state and protecting the rights of our citizens. On behalf of the Court, and I believe I speak for all of us, I would like to publicly thank the members of this Commission for this important work.

Let there be no misunderstanding here. Lawyers needing discipline are the exception and not the rule in Montana. Complaints against the legal profession amount to less than one complaint per 100 attorneys per year. That low rate is due in large part to the professionalism of our Bar and the constant efforts of the State Bar of Montana. The State Bar has engaged in a number of public service programs in recent years. The State Bar's encouragement of free legal services to Montana's poor is an example of a State Bar that has renewed vigor and a commitment to all our people.

Individual members of the State Bar annually devote -- without compensation -- many hours of service on boards and commissions that assist and improve the justice system. The Judiciary and our citizens owe these dedicated men and women lawyers their sincere appreciation.

Let me turn from members of commissions and the State Bar to recognize other workers who contribute vital services to the judicial system. Montana's Clerks of District Court provide the basic record and case management work that keeps the judicial system moving. The Clerk's organization -- the Montana Association of Clerks of District Court -- recently celebrated its 25th anniversary. In this biennium the Clerks of Court have organized a comprehensive training program aimed at improving the operation of their offices statewide. Professional, quality training of this kind is vital to court improvement efforts. I commend the clerks for their hard work and vision.

I said earlier in my talk that the judicial system in Montana is "relatively healthy". Health is something we cannot take for granted. I would like to mention a couple of concerns that we have that this Legislature and future Legislatures may want to consider.

There are numerous elements of our system that are showing signs of stress and even crisis.

We are all aware that the district courts in various areas are experiencing budgeting difficulty. You have before you several bills that address this issue. It would not be proper to comment on specific bills. However, I would like to ask that as you consider the alternatives, you take a long-range approach that seeks to fashion a system that provides reasonable funding for all our courts. The Constitution requires it and citizens who seek their day in court deserve it.

Judicial salaries seem to be a perennial issue in Montana. Why is that? The issue keeps coming back with such visibility because we have dug ourselves into a very large hole on this issue. Montana judicial salaries are the worst in the nation -- below even Guam, Puerto Rico, and the Virgin Islands. They have not always been this bad by comparison.

Fully 50% of the 36 District Court Judges in our state have under 6 years of experience. This high turnover is due in part to an aging judiciary, but it is also due to inadequate compensation levels. The salary issue will keep coming back to the Legislature until it is solved because inadequate compensation fundamentally threatens our ability to maintain and attract first-rate candidates to judicial office.

The Montana Judges Association, with the support of many other organizations, will offer a bill this Session that is meant to bring Montana judicial compensation back to a reasonable level and it does so with hardly any general fund support. I hope you will give the bill favorable consideration.

There are many other issues affecting the health of our judicial system that demand our informed attention. I have time to highlight only a couple.

Take our general trial courts for example. Montana has 36 district court judges in 20 judicial districts sitting in 56 courthouses across our great state. More than half our district court judges do not have a law clerk. Many have no secretary. Most have none of the modern office equipment common in other county offices. This general paucity of resources is equally true in Limited Jurisdiction Courts. I mention this because I believe it is necessary for the Legislature and other Montanans to understand that this lack of resources is typical of Montana courts and affects our ability to provide modern judicial services.

Notwithstanding the lack of resources, there are serious efforts within the Judiciary to promote improvements. The training that is occurring at all levels of the court system is an important example of how we can improve the administration of courts and service to our citizens. These efforts are to be encouraged and commended.

Improvements recommended last year by the Supreme Court's Commission on Technology is one area that I would like to especially mention. After careful study, the Commission on Technology recommended to the Supreme Court the adoption of computer standards in Montana Courts. The Supreme Court, in March of 1990, adopted the recommended standards with the view in mind that we simply must plan for automation of our courts in a uniform, cost-effective manner. By the way, the standards adopted by the Court are the same standards employed in the Legislative and the Executive branches of state government.

This session we will ask you to consider a bill that funds court improvement through automation over a five year period. We propose to fund court automation through a \$1 fee on vehicle registrations and reregistrations. We believe such a fee is reasonable and that it has a direct connection to courts: two-thirds of all cases in limited jurisdiction courts

are related to vehicles; many cases before District Courts involve questions arising out of vehicular activity. I might also mention that the district court criminal reimbursement program receives 7% of the 2% tax on vehicles. There is a rational basis for considering this request.

There is an absolutely clear need for providing courts with modern tools to do the job that the Legislature charges them with doing. Let me mention just two examples. When someone is charged with DUI in Montana, the Legislature requires the judge (usually a Justice of the Peace or a City Judge) to apply progressively harsher penalties for 1st, 2nd, 3rd, and subsequent offenses. With the "shoe box technology" that exists in most of our courts, there is no easy way for most judges to know how many times someone has been convicted of DUI in their court -- and almost no way at all to know if DUI convictions have occurred recently in other courts.

Enforcing restitution orders is another area that would benefit greatly from automation. Enforcing restitution to victims is a cooperative effort of the courts and the county attorneys. Manual systems for making sure that victims of crime are repaid are awkward and inefficient. Automation would allow better tracking of fines, business-like pursuit of unpaid restitution, and timely notice to county attorney and judge when problems are occurring. There are many other areas -- such as child support -- in the court system where timely enforcement can benefit our citizens, enhance restitution payments to victims of crime and reduce welfare costs.

Planned, uniform and systematic use of modern automation tools in our courts is long overdue in Montana and will pay dividends to all our citizens. I hope you will seriously consider our request. We need your help.

Finally, I would like to conclude by saying that it is truly a pleasure to address the members of this Legislature and to repeat a sincere invitation that you take a few moments to come and visit not only the offices of the Supreme Court here in Helena but the courts in the cities and towns across our state. We need your help and your understanding to improve our judicial system. Only by working together can we make the improvements in our court system that all Montanans deserve.

Thank you for inviting the Court.

Chief Justice Turnage, Justices and distinguished guests were escorted from the House chamber by the escort committee.

Senator Van Valkenburg moved the joint session of the 52nd Legislature be adjourned. Motion carried. Members of the Senate retired from the House chamber.

House resumed. Mr. Speaker in the Chair.

Representative Driscoll moved the House recess until 1:30 p.m. Motion carried.

House recessed at 11:55 a.m.

House reconvened at 1:30 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/5/91

Correctly printed: HB 252, HB 286, HB 303, HB 311, HB 326, HB 333, HB 341, HB 353, HB 376, HB 379.

Correctly engrossed: HB 227, HB 280, HB 292, HJR 7, SB 3.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):

2/4/91

SB 150, third reading copy, be concurred in. Report adopted.

SB 155, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/4/91

HB 125, introduced bill, do pass. Report adopted.

HB 347, introduced bill, be amended as follows:

1. Page 1, line 25.

Strike: "at least two-thirds of"

Insert: "all"

2. Page 2, line 1.

Following: "trustees"

Insert: ", with the exception of any trustee who is related to the person being appointed and who must abstain from voting for the appointment,"

And, as amended, do pass. Report adopted.

HB 431, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/5/91

HB 389, introduced bill, be amended as follows:

1. Page 5, line 8.

Following: the period

Insert: "Any accommodation that would require an undue hardship or that would endanger the health or safety of any person is not a reasonable accommodation."

2. Page 7, line 16.

Following: the period

Insert: "Any accommodation that would require an undue hardship or that would endanger the health or safety of any person is not a reasonable accommodation."

And, as amended, do pass. Report adopted.

SB 54, third reading copy, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/5/91

HB 375, introduced bill, be amended as follows:

1. Title, line 5.

Following: "REFUSE;"

Insert: "INCREASING THE PENALTY FOR PUTTING REFUSE ON A
HIGHWAY;"

2. Title, line 6.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 61-8-365 AND"

3. Page 1, line 15.

Following: "court"

Strike: "less"

Insert: "not more"

4. Page 1, line 17.

Following: "addition,"

Insert: "for each offense,"

5. Page 1, line 18.

Following: "to"

Strike: "240"

Insert: "50"

6. Page 2, line 3.

Following: line 2

Insert: "Section 2. Section 61-8-365, MCA, is amended to read:

"61-8-365. Putting refuse on highway prohibited -- penalty
-- enforcement. (1) No person shall throw or deposit upon any
highway any glass bottles, glass, nails, tacks, wire, cans, paper, or
any other substance likely to injure any person, animal, or vehicle
upon such highway.

(2) Any person who drops or permits to be dropped or
thrown upon any highway any destructive or injurious material
shall immediately remove the same or cause it to be removed.

(3) Any person removing a wrecked or damaged vehicle
from a highway shall remove any glass or other injurious
substance dropped upon the highway from such vehicle.

(4) A person convicted of violating this section shall be
fined not less than \$50 for a first offense be fined not more than
\$250 and for a second or subsequent offense be fined not less than
\$250 or more than \$500. In addition, for each offense each
offender shall be ordered to spend up to 50 hours removing litter,
under the supervision of a county government agency that the
court finds appropriate, in the county in which the offense
occurred. Except for the minimum fine of \$50 as fines provided in
this subsection, the penalty provisions of 61-8-711 apply to this
section.""

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 2/5/91

HB 372, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HB 434, introduced bill, do pass. Report adopted.

HB 480, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

SB 41, third reading copy, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 2/5/91

HB 321, introduced bill, be amended as follows:

1. Title, line 6.

Following: "FUND;"

Insert: "CLARIFYING THE ALLOCATION OF REFUNDS;"

2. Title, lines 7 and 8.

Strike: "15-30-142" on line 7 through "15-31-543" on line 8

Insert: "15-1-501 AND 15-31-702"

3. Pages 1 through 15.

Strike: everything following the enacting clause

Insert: "Section 1. Section 15-1-501, MCA, is amended to read:

"15-1-501. Disposition of money from certain designated license and other taxes. (1) The state treasurer shall deposit to the credit of the state general fund all money received by him from the collection of:

(a) fees from driver's licenses, motorcycle endorsements, and duplicate driver's licenses as provided in 61-5-121;

(b) electrical energy producer's license taxes under chapter 51;

(c) severance taxes allocated to the general fund under chapter 36;

(d) liquor license taxes under Title 16;

(e) telephone company license taxes under chapter 53; and

(f) inheritance and estate taxes under Title 72, chapter 16.

(2) All money received from the collection of income taxes under chapter 30 of this title must be deposited as follows:

(a) 57% of the taxes in fiscal year 1990 and 50% of the taxes in fiscal year 1991, to the credit of the state general fund;

(b) 9.8% of the taxes in fiscal year 1990 and 8.7% of the taxes in fiscal year 1991, to the credit of the debt service account for long-range building program bonds as described in 17-5-408; and

(c) 33.2% of the taxes in fiscal year 1990 and 41.3% of the taxes in fiscal year 1991, to the credit of the state special revenue fund for state equalization aid to the public schools of Montana as described in 20-9-343; and

(d) all interest and penalties to the credit of the state general fund.

(3) All money received from the collection of corporation license and income taxes under chapter 31 of this title, except as provided in 15-31-702, must be deposited as follows:

(a) 64% of the taxes in fiscal year 1990 and 61% of the taxes in fiscal year 1991, to the credit of the state general fund;

(b) 11% of the taxes in fiscal year 1990 and 10.5% of the taxes in fiscal year 1991, to the credit of the debt service account for long-range building program bonds as described in 17-5-408; and

(c) 25% of the taxes in fiscal year 1990 and 28.5% of the taxes in fiscal year 1991, to the credit of the state special revenue fund for state equalization aid to the public schools of Montana as described in 20-9-343; and

(d) all interest and penalties to the credit of the state general fund.

(4) The state treasurer shall also deposit to the credit of the state general fund all money received by him from the collection of license taxes, fees, and all net revenues and receipts from all other sources under the operation of the Montana Alcoholic Beverage Code.

(5) After the distribution provided for in 15-36-112, the remainder of the oil severance tax collections must be deposited in the general fund.

(6) All refunds of taxes must be attributed to the funds in which the taxes are deposited. All refunds of interest and penalties must be attributed to the funds in which the interest and penalties are deposited."

Section 2. Section 15-31-702, MCA, is amended to read:

"15-31-702. Distribution of corporation license taxes collected from banks or savings and loan associations. (1) All corporation license taxes, interest, and penalties collected from banks and savings and loan associations shall be distributed in the following manner:

(a) 20% must be remitted to the state treasurer to be allocated as provided in 15-1-501(2); and

(b) 80% is statutorily appropriated, as provided in 17-7-502, for allocation to the various taxing jurisdictions within the county in which the bank or savings and loan association is located.

(2) The corporation license taxes, interest, and penalties distributed under subsection (1)(b) shall be allocated to each taxing jurisdiction in the proportion that its mill levy for that fiscal year bears to the total mill levy of the taxing authorities of the district in which the bank or savings and loan association is located.

(3) "Taxing jurisdictions" means, for the purposes of this section, all taxing authorities within a county permitted under state law to levy mills against the taxable value of property in the taxing district in which the bank or savings and loan association is located.

(4) If a return filed by a bank or savings and loan association involves branches or offices in more than one taxing jurisdiction, the department of revenue shall provide a method by rule for equitable distribution among those taxing jurisdictions."

NEW SECTION. Section 3. Effective date -- applicability.

(1) [This act] is effective July 1, 1991.

(2) [Sections 1 and 2] apply to all tax interest and penalties collected after June 30, 1992, regardless of when the tax, interest, or penalty was originally due."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/4/91

HB 17, introduced by Ream

HB 48, introduced by Grady

HB 79, introduced by L. Nelson

HB 84, introduced by Stang

HB 126, introduced by Simpkins

Senate bills passed and transmitted to the House for concurrence:

2/4/91

SB 8, introduced by Mazurek

SB 107, introduced by Bengtson

SB 108, introduced by Bengtson

SB 117, introduced by Pipinich

SB 119, introduced by Noble

SB 125, introduced by B. Brown

SB 159, introduced by Manning

SB 161, introduced by Weeding

SB 170, introduced by Vaughn

SB 179, introduced by Pipinich

SB 180, introduced by Waterman

SB 188, introduced by Harding

SB 222, introduced by Van Valkenburg

SJR 7, introduced by Harding

SJR 8, introduced by B. Brown

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 596, introduced by O'Keefe, Jacobson, Barnhart, Wyatt, Ream, McCaffree, Becker, Harrington, Thomas, Davis, Cody, Brooke, Measure, J. Brown, L. Nelson, Whalen, Gervais, Elliott, Dolezal, G. Beck, Raney, Darko, Driscoll, Harper, Kadas, Stang, Southworth, Squires, McCulloch, Madison, Grady, Phillips, Bradley, referred to Committee on Human Services and Aging

HB 597, introduced by Galvin, Harper, Kennedy, Wyatt, Kilpatrick, Davis, Schye, R. Johnson, Russell, Dowell, Southworth, Pavlovich, Quillici, Driscoll, Larson, Bachini, Peck, Pipinich, T. Nelson, Thomas, referred to Committee on Highways and Transportation

HB 598, introduced by Clark, Gould, Thomas, O'Keefe, Ellison, Feland, Brooke, R. DeBruycker, Lee, Ream, Foster, Knox, Grinde, Koehnke, M. Hanson, Mercer, Cobb, T. Nelson, McCaffree, Becker, Pavlovich, referred to Committee on Fish and Game

HB 599, introduced by Mercer, Harding, referred to Committee on State Administration

HB 600, introduced by Driscoll, referred to Committee on Labor and Employment Relations

The following Senate bills were introduced, read first time, and referred to committee:

SB 8, introduced by Mazurek, referred to Committee on Business and Economic Development

SB 107, introduced by Bengtson, T. Nelson, Blaylock, Pinsoneault, Crippen, referred to Committee on Local Government

SB 108, introduced by Bengtson, Kasten, Benedict, Pinsoneault, J. DeBruycker, Foster, Schye, referred to Committee on Local Government

SB 117, introduced by Pipinich, Larson, Pavlovich, Peck, Bachini, Davis, Van Valkenburg, Manning, Pinsoneault, Halligan, Towe, Yellowtail, Jergeson, Hockett, Bianchi, Vaughn, R. Johnson, referred to Committee on Education and Cultural Resources

SB 119, introduced by Noble, referred to Committee on Taxation

SB 125, introduced by B. Brown, Lynch, Koehnke, Thayer, Pinsoneault, Williams, J. Rice, Mercer, referred to Committee on Judiciary

SB 159, introduced by Manning, referred to Committee on Taxation

SB 161, introduced by Weeding, Yellowtail, T. Beck, Gilbert, Harp, Grady, Driscoll (by request of the Environmental Quality Council), referred to Committee on Agriculture, Livestock, and Irrigation

SB 170, introduced by Vaughn, Darko, Harding, Yellowtail, Cody (by request of the Department of Institutions), referred to Committee on Judiciary

SB 179, introduced by Pipinich, Larson, Davis, Gilbert, Waterman, B. Brown, referred to Committee on Education and Cultural Resources

SB 180, introduced by Waterman, Blaylock, Crippen, Bradley, Wallin, Stickney, J. Rice, Mazurek, referred to Committee on Education and Cultural Resources

SB 188, introduced by Harding, Lee, Bengtson, Vaughn, J. Brown, Manning, Tveit, referred to Committee on Human Services and Aging

SB 222, introduced by Van Valkenburg, Thomas, T. Nelson, Phillips, Grady, Squires, Nathe, Pipinich, Southworth, J. Brown, Harper, O'Keefe, Cocchiarella, referred to Committee on State Administration

SJR 7, introduced by Harding, Tveit, Pinsoneault, Davis, Devlin, Lee, Mercer, referred to Committee on Agriculture, Livestock, and Irrigation

SJR 8, introduced by B. Brown, Wallin, Svrcak, Hansen, Pinsoneault, Devlin, referred to Committee on Business and Economic Development

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Grinde in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 203 - Representative S. Rice moved HB 203 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Galvin, Gervais, Grady, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wanzenried, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, Cobb, Connelly, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Mercer, Messmore, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 37

Excused: D. Brown.
Total 1

Absent or not voting: Harrington, Whalen.
Total 2

HB 338 - Representative Ream moved HB 338, second reading copy, be amended as follows (amendment #1):

1. Page 8, line 14.
Following: "means"
Strike: "a stove or furnace"

2. Page 8, lines 15 and 16.
Strike: "that:" on line 15 through "burn" on line 16.
Insert: "a noncatalytic stove or furnace that burns wood,"

3. Page 8, line 16.
Following: "pellets"
Insert: ", "

4. Page 8, lines 17 through 19.
Following: "biomass"
Strike: "pellets;" through "(c)" on line 19.
Insert: "and"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody,

Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Kasten, McCaffree, Swysgood.
Total 4

Excused: D. Brown.
Total 1

Absent or not voting: None.
Total 0

Representative Ream moved HB 338, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Elliott, Hayne, McCaffree, Simpkins, Swysgood.
Total 6

Excused: D. Brown.
Total 1

Absent or not voting: Spring.
Total 1

HB 107 - Representative J. Johnson moved HB 107 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily,

Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Grady, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 71

Noes: Benedict, Bergsagel, Boharski, D. Brown, Cobb, Cody, Ellison, Feland, Foster, Gould, Grinde, S. J. Hansen, Hayne, Kasten, Knox, Mercer, T. Nelson, Nisbet, Peck, Peterson, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Zook.

Total 28

Voted Absentee: D. Brown, No.

Excused: None.

Total 0

Absent or not voting: Driscoll.

Total 1

HB 115 - Representative J. Johnson moved HB 115 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Elliott, Raney.

Total 2

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 266 - Representative M. Hanson moved HB 266 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: D. Brown.
Total 1

Absent or not voting: None.
Total 0

HB 331 - Representative Kilpatrick moved HB 331 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Kasten, Knox, Steppler.
Total 3

Excused: D. Brown.
Total 1

Absent or not voting: Brooke.
Total 1

HB 348 - Representative Gervais moved HB 348 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Clark, Hayne, Kasten, Lee, Mercer, T. Nelson, Thomas.

Total 8

Voted Absentee: D. Brown, Aye.

Excused: None.

Total 0

Absent or not voting: R. Johnson.

Total 1

HB 403 - Representative Spring moved HB 403 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: McCaffree.
Total 1

SB 6 - Representative Measure moved SB 6 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cohen, Raney.
Total 2

Excused: D. Brown.
Total 1

Absent or not voting: None.
Total 0

SJR 1 - Representative Toole moved SJR 1 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Cromley, Forrester, Gilbert, Phillips, Quilici, Raney, Simpkins, Swysgood.
Total 9

Excused: D. Brown.
Total 1

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved the adoption of the committee report. Report adopted. (96-1)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/5/91

Signed by the Speaker at 2:25 p.m., 2/5/91: SB 33, SB 78.

Delivered to the Secretary of State at 1:30 p.m., 2/5/91: HJR 3, HJR 5.

JUDICIARY (Strizich, Chairman): 2/5/91

HB 131, introduced bill, be amended as follows: .

1. Title, line 4.

Following: "ENTITLED:"

Insert: "AN ACT CREATING"

2. Title, page 1, line 11.

Following: "GRANTS,"

Insert: "AND"

Following: "DONATIONS"

Strike: ", AND PENALTIES"

Following: "EXEMPTING"

Insert: "PARTS OF"

3. Title, line 12.

Following: "LAWS"

Insert: "UNDER CERTAIN CONDITIONS"

4. Title, line 13.

Following: "AUTHORITY;"

Insert: "PROVIDING FOR A 2-YEAR STATUTORY APPROPRIATION;"

5. Title, lines 14 and 15.

Strike: "CULTURAL AND AESTHETIC PROJECTS ACCOUNT"

Insert: "GENERAL FUND"

Following: "SECTIONS"

Strike: "2-3-203,"

Following: "2-6-101,"

Strike: "AND"

Following: "2-6-102,"

Insert: "AND 17-7-502,"

6. Title, line 16.

Following: "DATES"

Insert: "AND A TERMINATION DATE"

7. Page 1, line 20.

Strike: "protection"

Insert: "preservation"

8. Page 2, line 10 through page 17, line 13.

Strike: everything following the enacting clause

Insert: "NEW SECTION. Section 1. Short title. [Sections 1 through 10 and 13] may be cited as the "Human Skeletal Remains and Burial Site Protection Act".

NEW SECTION. Section 2. Legislative findings and intent.

(1) The legislature of the state of Montana finds that:

(a) the state and its citizens have an obligation to protect from disturbance or destruction all human skeletal remains, burial sites, and burial material, including those in marked, unmarked, unrecorded, registered, or unregistered graves or burial grounds located on state or private lands that are not protected as cemeteries or graveyards under existing state law;

(b) marked, unmarked, unrecorded, registered, or unregistered graves or burial grounds not protected as cemeteries or graveyards under existing state law are increasingly subject to pilferage, disturbance, and destruction for commercial purposes, including land development, agriculture, mining, and the sale of artifacts;

(c) private collection of artifacts may result in the destruction of burial sites. Existing law reflects the value society places on preserving human burial sites, but the law does not clearly provide equal and adequate protection or incentives to ensure preservation and protection of all burial sites in the state regardless of ethnic origin, burial context, or age.

(d) while some human skeletal remains and burial sites may be of interest to science, the needs of the scientific community to gather information and material from burial sites must be balanced with the legal, moral, and religious rights and obligations of tribal groups, next of kin, or descendants;

(e) preservation in place is the preferred policy for all human skeletal remains, burial sites, and burial material; and

(f) notwithstanding any other provision of law, [sections 1 through 10 and 13] are the exclusive laws governing the treatment of human skeletal remains, burial sites, and burial materials.

(2) It is the intent of the legislature to:

(a) ensure that all burials be accorded equal treatment and respect for human dignity without reference to ethnic origin, cultural background, or religious affiliation;

(b) provide adequate protection for all interests related to any burial site encountered during archaeological excavation or agricultural, mining, construction, or other ground-disturbing activity on state and private lands without causing avoidable or undue delay or hardship for any person who has an interest in using the land on which the burial site is located;

(c) recognize the interests, concerns, and obligations of those having a kinship, tribal, cultural, or religious affiliation with the burial site and balance those interests against the interests of scientists, landowners, and developers;

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(d) provide to the board an exemption from the open meeting and public records laws when public disclosure of the location of a burial site could result in pilferage, disturbance, or destruction of the site; and

(e) recognize the need for forensic examination of human skeletal remains, burial sites, and burial material if the county coroner, county attorney, or state medical examiner determines an examination is necessary under state law.

NEW SECTION. Section 3. Definitions. As used in [sections 1 through 10 and 13], the following definitions apply:

(1) "Board" means the burial preservation board established in [section 4].

(2) "Burial material" means any item found at the burial site or with the human skeletal remains and directly associated with the burial or burial site.

(3) "Burial site" means, except for cemeteries and graveyards protected under existing state law, any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which human remains were intentionally deposited as a part of the death rites or ceremonies of a culture.

(4) "Human skeletal remains" means any part of the human body in any state of decomposition taken from a burial site.

(5) "Marked, unmarked, unrecorded, registered, or unregistered grave or burial ground" means any place, except a cemetery or graveyard protected under existing state law, where human skeletal remains are or have been interred.

(6) "Scientifically justifiable" means that the human skeletal remains or burial material has a potential to address specific research questions in the science of anthropology, history, or biology.

(7) "Tribal group" means an Indian tribe recognized by the United States secretary of the interior or recognized as a tribe by other Indian nations.

NEW SECTION. Section 4. Board -- composition -- rights -- responsibilities. (1) There is a burial preservation board. The board is composed of:

(a) one representative of each of the seven reservations, appointed by the governor from a list of up to three nominees provided by each of the respective tribal governments;

(b) one person appointed by the governor from a list of up to three nominees submitted by the Little Shell band of Chippewa Indians;

(c) one person appointed by the Montana state historic preservation officer;

(d) one representative of the Montana archaeological association appointed by the coordinator of Indian affairs from a list of up to three nominees submitted by the Montana archaeological association;

(e) one physical anthropologist appointed by the state medical examiner;

(f) one representative of the Montana coroners' association appointed by the coordinator of Indian affairs from a list of up to three nominees submitted by the Montana coroners' association; and

(g) one representative of the public, appointed by the attorney general, who is not associated with tribal governments; state government; the fields of historic preservation, archaeology, or anthropology; or the Montana coroners' association.

(2) Members of the board shall serve staggered 2-year terms. A vacancy on the board must be filled in the same manner as the original appointment and only for the unexpired portion of the term.

(3) The board shall:

(a) provide for the establishment and maintenance of a registry of burial sites located in the state;

(b) designate the appropriate member or members of the board or a representative or representatives of the board to conduct a field review upon notification of the discovery of human skeletal remains, a burial site, or burial materials;

(c) assist interested landowners in the development of agreements with the board for the treatment and disposition, with appropriate dignity, of human skeletal remains and burial material;

(d) mediate, upon application of either party, disputes that may arise between a landowner and known descendants that relate to the treatment and disposition of human skeletal remains and burial material;

(e) assume responsibility for final treatment and disposition of human skeletal remains and burial material if the field review recommendation is not accepted by the board's representatives and the landowner;

(f) establish a nonrefundable application fee, not to exceed \$50, for a permit for scientific analysis of human skeletal remains or burial material from burial sites as provided by [section 6];

(g) issue permits authorizing scientific analysis;

(h) accept grants or real or in-kind donations to carry out the purposes of [sections 1 through 10 and 13];

(i) adopt rules necessary to administer and enforce the provisions of [sections 1 through 10 and 13]; and

(j) perform any other duties necessary to implement the provisions of [sections 1 through 10 and 13].

(4) The board is allocated to the department of commerce for administrative purposes only as prescribed in 2-15-121.

(5) Members of the board shall serve without pay but are entitled to reimbursement for travel, meals, and lodging pursuant to 2-18-501 through 2-18-503.

NEW SECTION. Section 5. Discovery -- reporting requirements -- field review. (1) A person who by archaeological excavation or by agricultural, mining, construction, or other ground-disturbing activity discovers human skeletal remains, a burial site, or burial material shall immediately notify the county coroner. Failure to notify the county coroner subjects a person to the penalty provided in [section 8].

(2) Upon discovery of human skeletal remains, a burial site, or burial material, excavation or further disturbance must cease until the coroner has determined whether the remains are subject to the provisions of Title 46, chapter 4, or any other related provisions of law concerning the investigation of the circumstances, manner, and cause of death or whether a forensic examination of the human skeletal remains, burial site, or burial material is necessary. The coroner shall make his determination within 2 working days from the time the person responsible for the excavation notifies him of the discovery or recognition of the remains. If the coroner cannot make the determination within 2 working days, he shall notify a member of the board of the reason for and the approximate length of the delay. The coroner shall take all reasonable steps to make his determination without removing or causing further disturbance of the remains.

(3) If a forensic examination, action under Title 46, chapter 4, or action under any other related provisions of law concerning the investigation of the circumstances, manner, and cause of death is necessary and yields evidence of criminal activity, the evidence may be seized by the coroner or law enforcement agency with jurisdiction for use in a criminal proceeding as provided by law.

(4) If the coroner determines that the remains are not subject to the provisions of Title 46, chapter 4, or any other provisions of law concerning the investigation of the circumstances, manner, and cause of death and that a forensic examination is not necessary, he shall telephone the state historic preservation officer within 24 hours. Within 24 hours of notification, the state historic preservation officer shall contact either the landowner and the board or the landowner and the board member representing the nearest reservation and notify them of the discovery of human skeletal remains, a burial site, or burial material.

(5) If the state historic preservation officer cannot be contacted, the coroner shall notify a member of the board or the law enforcement agency of the nearest reservation within 24 hours. The board or the agency shall immediately notify the landowner and the board member representing that reservation.

(6) Within 36 hours after the board receives notification of a discovery of human skeletal remains, a burial site, or burial material, the board shall designate representatives to conduct, with the permission of the landowner, an initial field review. If the field review cannot be completed within the next 36 hours, the board's representatives shall negotiate with the landowner or his representative for a reasonable time extension to complete the review. The field review must include:

- (a) a determination of whether the site can be preserved;
- (b) negotiation with the landowner concerning onsite reburial or disinterment and reburial; and

- (c) a recommendation, including a timeframe, concerning final treatment or disposition of the human skeletal remains or burial material.

(7) If the board's representatives fail to make a recommendation or if the landowner and the board cannot agree

and mediation fails to provide a resolution acceptable to the landowner and the board, control of human skeletal remains or burial materials is vested in the board and the board shall give control of the remains or materials in the following priority to:

- (a) the descendants, if identifiable;
- (b) the tribe or other cultural group that has the closest cultural affiliation with the human skeletal remains or burial materials;

- (c) the tribe or other cultural group recognized as having aboriginally or historically occupied the area where the remains or materials were discovered if, upon notification by the board, the tribe or cultural group states a claim for the remains or materials; or

- (d) if unclaimed by any tribe or cultural group, the board, which shall determine the appropriate disposition and oversee the reinterment of the remains and materials.

(8) For purposes of this section, "cultural group" means a present-day group or organization that has a relationship of shared group identity which can be reasonably traced historically or prehistorically to an identifiable earlier group or organization.

NEW SECTION. Section 6. Scientific analysis -- permit required. (1) Although onsite reburial is preferred, the board may, upon petition by a person seeking permission to perform scientific analysis, grant a permit for the scientific removal and analysis of human skeletal remains and burial material upon proof and determination by the board that the analysis is scientifically justifiable. A petition for a permit must include:

- (a) payment of the nonrefundable application fee provided for in [section 4]; and

- (b) a brief narrative describing the methodology to be used, the timeframe needed to complete the scientific study, and any other information specifically requested by the board relating to the proposed study.

(2) The methodology proposed must be reviewed by the state historic preservation officer or his designated representative and the physical anthropologist on the board, and a recommendation must be made to the full board. Once approved by the board, any change in methodology or in the timeframe must be approved by the board before the original timeframe expires. The timeframe for scientific study may not exceed 12 months from the date of issuance of the permit.

(3) A permit for scientific analysis issued by the board is subject to terms, conditions, and procedures prescribed by the board and must include the condition that a permittee shall pay all costs of excavation, study, and disposition.

(4) The board shall either issue or deny a permit within 30 working days from the date of the permit petition. If the board denies a permit upon a finding that scientific analysis is not justifiable, the board shall provide the applicant with a written statement outlining the grounds for its finding. The applicant may appeal the decision of the board under the provisions of Title 2, chapter 4, part 6, of the Montana Administrative Procedure Act.

(5) The board may suspend or revoke a permit pursuant to the Montana Administrative Procedure Act upon a finding that the permittee has violated any provision of [sections 1 through 10 and 13] or any term, condition, or procedure of a permit issued by the board.

(6) The provisions of this section do not apply to a forensic examination by the county coroner, action under Title 46, chapter 4, or action under any other related provisions of law concerning the investigation of the circumstances, manner, and cause of death.

NEW SECTION. Section 7. Nondisclosure of records. (1) The state historic preservation officer, in consultation with the board, shall maintain burial site records that are separate and distinct from those in the cultural resource registry and that are necessary to administer [sections 1 through 10 and 13].

(2) Burial site records are confidential and available only to criminal justice agencies or to federal, state, and tribal personnel or their appointed representatives legally charged with administering laws protecting cultural resources.

(3) Statistical information compiled from burial site records must be made available to the general public. Any information concerning burial site records that is released to a criminal justice agency is confidential criminal justice information, as defined in 44-5-103, and is subject to dissemination pursuant to 44-5-303.

NEW SECTION. Section 8. Prohibited acts -- penalties. (1) After July 1, 1991, unless authorized under [sections 1 through 10 and 13] or by the descendants, tribe, cultural group, or other person, group, or entity to which the board gives control of the human skeletal remains or burial materials under [section 5], a person may not:

(a) purposely or knowingly pilfer, disturb, destroy, or permit pilferage, disturbance, or destruction of a marked, unmarked, unrecorded, registered, or unregistered grave or burial ground or of burial material;

(b) for commercial use, knowingly possess, buy, sell, transport, barter, or display human skeletal remains or burial material acquired in violation of [sections 1 through 10 and 13]; or

(c) purposely or knowingly disclose information knowing that it is highly probable that the disclosure will lead to pilferage, disturbance, or destruction of a burial site.

(2) A person convicted under the provisions of subsection (1)(a) may be fined an amount not to exceed \$1,000, be imprisoned in the county jail for not more than 6 months, or both. A person convicted of a subsequent violation of subsection (1)(a) may be fined an amount not to exceed \$20,000, be imprisoned for not more than 5 years, or both.

(3) A person convicted under the provisions of subsection (1)(b) may be fined an amount not to exceed \$50,000, be imprisoned for not more than 20 years, or both.

(4) A person convicted under the provisions of subsection (1)(c) may be fined an amount not to exceed \$500, be imprisoned for not more than 6 months, or both. A person convicted of a subsequent violation of subsection (1)(c) may be fined an amount not to exceed \$10,000, be imprisoned for not more than 5 years, or both.

(5) A person who knowingly fails to give notice as required by [section 5(1)] may be fined an amount not less than \$100 or more than \$500.

(6) A person who violates a provision of this section or any term or condition of a permit issued under [section 6] is subject to a civil penalty not to exceed \$2,000 for the first violation and not to exceed \$10,000 for a subsequent violation.

NEW SECTION. Section 9. Civil penalty and damages actions. (1) [Sections 1 through 10 and 13] do not preclude civil actions for damages.

(2) The board may bring an action under [section 8] for a civil penalty.

NEW SECTION. Section 10. Closure of board meetings. The board may close part of a meeting of the board to the public if the board finds that information that may be acquired at that part of the meeting may allow a person to identify a burial site, human skeletal remains, or burial material and pilfer, disturb, or destroy the human skeletal remains, burial site, or burial material.

Section 11. Section 2-6-101, MCA, is amended to read:

"2-6-101. Definitions. (1) Writings are of two kinds:

(a) public; and

(b) private.

(2) Public writings are:

(a) the written acts or records of the acts of the sovereign authority, of official bodies and tribunals, and of public officers, legislative, judicial, and executive, whether of this state, of the United States, of a sister state, or of a foreign country;

(b) public records, kept in this state, of private writings, except as provided in 22-1-1103 and [section 7].

(3) Public writings are divided into four classes:

(a) laws;

(b) judicial records;

(c) other official documents;

(d) public records, kept in this state, of private writings.

(4) All other writings are private."

Section 12. Section 2-6-102, MCA, is amended to read:

"2-6-102. Citizens entitled to inspect and copy public writings. (1) Every citizen has a right to inspect and take a copy of any public writings of this state, except as provided in 22-1-1103 or [section 7] and as otherwise expressly provided by statute.

(2) Every public officer having the custody of a public writing which a citizen has a right to inspect is bound to give him on demand a certified copy of it, on payment of the legal fees

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therefor, and such copy is admissible as evidence in like cases and with like effect as the original writing."

NEW SECTION. Section 13. Disposition of fees, grants, and donations. (1) There is an account in the state special revenue fund. The board shall deposit any fee, grant, or donation received under [section 4] into the account to be used to pay expenses for board meetings or expenses incurred in conducting field reviews.

(2) The money in the account is statutorily appropriated to the board as provided in 17-7-502.

Section 14. Section 17-7-502, MCA, is amended to read: "17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; [section 13]; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

NEW SECTION. Section 15. Appropriation. There is appropriated \$10,000 from the general fund to the board for the 2

fiscal years beginning July 1, 1991, to be used to pay expenses for board meetings or expenses incurred in conducting field reviews.

NEW SECTION. Section 16. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 17. Effective dates. (1) [Sections 4, 13, 14, 16, and this section] are effective on passage and approval.

(2) [Sections 1 through 3, 5 through 12, 15, and 18] are effective July 1, 1991.

NEW SECTION. Section 18. Termination. [Sections 13(2) and 14] terminate on June 30, 1993."

And, as amended, do pass. Report adopted.

HB 268, introduced bill, do pass. Report adopted.

HB 310, introduced bill, be amended as follows:

1. Title, lines 7 through 9.

Strike: "TO INCLUDE" on line 7 through "GOVERNMENT;" on line 9

2. Page 2, line 19.

Following: "~~or~~"

Insert: "or"

3. Page 2, lines 20 through 22.

Strike: ", or" on line 20 through "government" on line 22

4. Page 3, lines 5 through 7.

Following: "~~or~~" on line 5

Insert: "or"

Strike: ", or" on line 5 through "government" on line 7

And, as amended, do pass. Report adopted.

HB 419, introduced bill, do pass. Report adopted.

SB 68, third reading copy, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 601, introduced by Bradley, Bianchi, Blaylock, Pavlovich, Nathe, Wallin, Pinsoneault, Harp, referred to Committee on Appropriations

HB 602, introduced by Driscoll, referred to Committee on Local Government

HB 603, introduced by J. Brown, referred to Committee on Appropriations

HB 604, introduced by J. Brown (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

HB 605, introduced by Cohen, Gilbert, referred to Committee on State Administration

HB 606, introduced by O'Keefe, Cocchiarella, Grinde, Mazurek, Van Valkenburg, T. Beck, referred to Committee on State Administration

HB 607, introduced by Raney, Rea, Bradley (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources

HB 608, introduced by Whalen, referred to Committee on Judiciary

HB 609, introduced by Ream, Mazurek, referred to Committee on Taxation

HB 610, introduced by Bradley, Mercer, Driscoll, Mazurek, Keller, Wyatt, Harp, B. Brown, Crippen, Forrester, Strizich, Lee, Squires, Stickney, Cocchiarella, T. Nelson, Darko, Becker, R. Johnson, Whalen, Lynch, Williams, Keating, Harper, referred to Committee on Judiciary

HB 611, introduced by Schye, referred to Committee on Fish and Game

HB 612, introduced by Spring, Zook, Ellison, McCaffree, Steppler, Bardanouve, referred to Committee on Agriculture, Livestock, and Irrigation

HB 613, introduced by Ellison, Grosfield, Elliott, Clark, Phillips, referred to Committee on Fish and Game

HB 614, introduced by Cobb, referred to Committee on Taxation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 105 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: D. Brown, Davis, Harrington, J. Johnson, McCarthy, Menahan, Pavlovich, Peck, Simpkins, Stang, Swysgood.

Total 11

Voted Absentee: D. Brown, No.

Excused: None.

Total 0

Absent or not voting: Kasten, Tunby.
Total 2

HB 154 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: D. Brown.
Total 1

Absent or not voting: None.
Total 0

HB 166 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Southworth, Stang.
Total 2

Excused: D. Brown.
Total 1

Absent or not voting: None.

Total 0

HB 239 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Cody, J. DeBruycker, R. DeBruycker, Hoffman, Kasten, L. Nelson.

Total 7

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 240 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: R. DeBruycker, Ellison, Hayne, Kasten, Knox, Peck, Simpkins, Spring, Steppler, Zook.

Total 10

Excused: D. Brown.

Total 1

Absent or not voting: Bardanouve, J. DeBruycker.
Total 2

HB 256 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.
Total 0

Voted Absentee: D. Brown, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 269 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Driscoll, Gilbert, S. J. Hansen.
Total 3

Excused: D. Brown.
Total 1

Absent or not voting: None.

Total 0

HB 270 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Driscoll.

Total 1

Excused: D. Brown.

Total 1

Absent or not voting: None.

Total 0

HB 373 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: D. Brown.

Total 1

Absent or not voting: None.
Total 0

SB 3 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Barnett, Benedict, Clark, R. DeBruycker, Gilbert, Grinde, Hayne, Hoffman, Keller, Phillips, Spring, Swysgood, Zook.
Total 13

Excused: D. Brown.
Total 1

Absent or not voting: Measure.
Total 1

MOTIONS

Representative Driscoll moved HB 568 be taken from the Committee on Appropriations and rereferred to the Committee on Highways and Transportation. Motion carried.

Representative Driscoll moved HB 569 be taken from the Committee on Highways and Transportation and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Wednesday, February 6, 1991. Motion carried.

House adjourned at 2:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 6, 1991

House Chambers

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Father Ed Hislop. Pledge of Allegiance to the Flag.

Roll call. All members present except Clark, Darko, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-first, twenty-second, twenty-third and twenty-fourth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/6/91
Correctly printed: HB 125, HB 268, HB 310, HB 321, HB 347, HB 375, HB 389, HB 419, HB 431, HB 434.
Correctly engrossed: HB 107, HB 115, HB 203, HB 266, HB 331, HB 338, HB 348, HB 372, HB 403, HB 480, SB 6, SB 155, SJR 1.
Correctly enrolled: HB 43.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/6/91
HB 63, introduced bill, do pass. Report adopted.
HB 83, introduced bill, be amended as follows:

1. Page 1, line 8.
Following: line 7
Insert:

"STATEMENT OF INTENT

The house committee on highways and transportation has determined that a statement of intent is necessary for this bill. It is the intent of the legislature to provide the department of highways the means to facilitate the securing of oversize permits by the motor carrier industry. To that end, the department should issue permits telephonically regardless of whether the weigh stations are equipped with computers."

And, as amended, do pass. Report adopted.

HB 87, introduced bill, be amended as follows:

1. Title, line 8.
Following: "SERVICES"
Insert: "IN EMERGENCY SITUATIONS"

2. Page 1, line 11.
Following: "Interstate"
Insert: "emergency"

3. Page 1, line 12.
Following: "agreements."
Insert: "(1)"

4. Page 1, line 14.

Following: "of"

Insert: "emergency"

5. Page 1, line 16.

Following: line 15

Insert: "(2) An agreement authorized under subsection (1) must be confined to emergency situations. The department is prohibited from entering into agreements with adjoining states or provinces that would result in an adjoining state or province performing routine maintenance on highways located in Montana."

And, as amended, do pass. Report adopted.

HB 301, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

JUDICIARY (Strizich, Chairman):

2/4/91

HB 212, introduced bill, be amended as follows:

1. Title, line 8.

Following: "RIGHTS;"

Strike: "PROVIDING IMMUNITY FROM"

Insert: "CLARIFYING THE"

2. Title, line 9.

Following: "LIABILITY"

Strike: "FOR"

Insert: "OF"

3. Title, line 11.

Following: line 10

Insert: "ESTABLISH AN EDITORIAL BOARD AND"

4. Page 2, line 8.

Following: "as"

Strike: "provided under"

Insert: "defined in"

5. Page 2, line 13.

Following: "act"

Strike: "on school premises"

6. Page 3, line 12.

Strike: "Immunity from liability"

Insert: "Liability"

7. Page 3, line 13.

Following: "adoption of"

Insert: "board and"

8. Page 3, line 18.

Following: "student"

Insert: "pursuant to [section 1]"

9. Page 3, line 22.

Following: line 21

Insert: "establish an editorial board and"

And, as amended, do pass. Report adopted.

HB 381, introduced bill, be amended as follows:

2/5/91

1. Title, line 7.

Following: "LIMITATIONS;"

Insert: "TO DELETE OTHER PROVISIONS RELATING TO PERJURY
THROUGH INCONSISTENT STATEMENTS;"

2. Title, line 8.

Strike: "IMPLEMENTING"

Insert: "TO IMPLEMENT"

3. Page 2, lines 18 and 19.

Strike: "(6)" on line 18 through "affirmation," on line 19

4. Page 2, line 20 through page 3, line 2.

Strike: "the" on page 2, line 20 through "true." on page 3, line 2

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 388, introduced bill, do pass. Report adopted.

2/6/91

SB 49, third reading copy, be amended as follows:

1. Page 1, line 17.

Strike: "or vocational school"

And, as amended, be concurred in. Report adopted.

SB 140, third reading copy, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman):

2/6/91

HB 141, introduced bill, be amended as follows:

1. Page 2, lines 4 and 5.

Following: "or" on line 4

Insert: "has been provided a written statement indicating the following to
the individual no later than 30 days before the end of the first of
the academic years or terms:

(a) whether there is a"

Following: line 4

Insert: "reemployment"

2. Page 2, line 7.

Following: "terms"

Insert: ";

(b) whether it is stated that the individual has no reasonable assurance of reemployment and that the individual should file a claim for benefits at the close of the academic year or term;

(c) if it is stated that the individual has reasonable assurance of reemployment, that the written statement inform the employee that he may file a claim for benefits and that the determination for eligibility for benefits is made by the department and not by the employer; and

(d) if it is stated that the individual has reasonable assurance of reemployment, that the individual is entitled to a retroactive payment of benefits if he:

(i) is not offered an opportunity to perform the services for the educational institution for the subsequent academic years or terms;

(ii) is otherwise eligible and filed a claim for each week benefits are claimed; and

(iii) filed a claim for retroactive benefits no later than 30 days following the commencement of the subsequent academic year or term"

3. Page 3, lines 13 and 14.

Following: "section."

Strike: the remainder of line 13 through "term" on line 14

Insert: "(4) For the purposes of this section:

(a)"

4. Page 3, line 17.

Following: "institutions"

Insert: ";

(b) "reasonable assurance" includes but is not limited to an offer of employment or assignment made by the educational institution if the offer or assignment is not contingent on enrollment, funds, or program changes. An individual who has been notified that he will be replaced and does not have an offer of employment or assignment to perform services for an educational institution is not considered to have reasonable assurance."

And, as amended, do pass. Report adopted.

HB 187, introduced bill, be amended as follows:

1. Title, line 11.

Following: "39-71-116,"

Insert: "39-71-402, 39-71-426,"

2. Page 5, line 4.

Following: "means"

Strike: "any"

Insert: "an"

3. Page 8, line 4.

Following: "2"

Insert: "and plan No. 3"

4. Page 8, line 9.

Following: line 8

Insert: "Section 4. Section 39-71-402, MCA, is amended to read:

"39-71-402. Extraterritorial application and reciprocity -- exception. (1) If a worker employed in this state who is subject to the provisions of this chapter temporarily leaves the state incidental to that employment and receives an injury arising out of and in the course of such employment, the provisions of this chapter shall apply to such worker as though he were injured within this state.

(2) If a worker from another state and his employer from another state are temporarily engaged in work within this state, this chapter shall not apply to them:

(a) if the employer and employee are bound by the provisions of the workers' compensation law or similar law of such other state which applies to them while they are in the state of Montana; and

(b) if the Workers' Compensation Act of this state is recognized and given effect as the exclusive remedy for workers employed in this state who are injured while temporarily employed in such other state.

(3) A certificate from an authorized officer of the workers' compensation department or similar agency of another state certifying that an employer of such other state is bound by the Workers' Compensation Act of the state and that its act will be applied to employees of the employer while in the state of Montana shall be prima facie evidence of the application of the workers' compensation law of the certifying state.

(4) The department may, with the approval of the governor, enter into agreements with workers' compensation agencies of other states for the purpose of promulgating regulations not inconsistent with the provisions of this chapter to carry out the extraterritorial application of the workers' compensation laws of the agreeing states.

(5) The provisions of this section do not apply to the construction industry as defined in 39-71-116."

Section 5. Section 39-71-426, MCA, is amended to read:

"39-71-426. Reciprocal agreements with Canadian provinces -- exception. (1) Subject to the conditions provided in 39-71-427 and subsection (2) of this section, the governor may enter into agreements with duly authorized representatives of any Canadian province, granting reciprocal application of the workers' compensation laws of this state to Montana employers and workers if they are temporarily engaged in work in that province.

(2) Subsection (1) does not apply to the construction industry as defined in 39-71-116."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 232, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "court"

Strike: "of"

Insert: "in the county in which the claim arose or to the district court of"

And, as amended, do pass. Report adopted.

HB 356, introduced bill, be amended as follows:

1. Title, line 6.

Following: "OR"

Strike: "FULL-TIME"

2. Title, line 8.

Strike: "A RETROACTIVE"

Insert: "AN"

3. Page 1, line 25.

Following: "or"

Strike: "full-time"

4. Page 2, line 22.

Following: "2."

Strike: "Retroactive applicability"

Insert: "Applicability"

5. Page 2, lines 23 and 24.

Following: "applies"

Strike: remainder of line 23 through "1-2-109,"

Following: "after"

Strike: "January 1, 1989"

Insert: "[the effective date of this act]"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

2/5/91

HB 65, introduced bill, be amended as follows:

1. Title, line 6.

Following: "VEHICLES;"

Insert: "AND"

2. Title, lines 6 through 8.

Strike: "; AND" on line 6 through "DATE" on line 8

3. Page 2, lines 10 through 21.

Strike: subsections (3) and (4) in their entirety

4. Page 3, lines 2 through 7.

Strike: section 3 in its entirety

And, as amended, do pass. Report adopted.

HB 122, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "FOR INPATIENT HOSPITAL SERVICES"

2. Title, line 9.

Following: "AUTHORITY;"

Insert: "PROVIDING AN APPROPRIATION;"

3. Title, lines 9 and 10.

Following: "7-32-2222" on line 9

Strike: "AND"

Insert: ", "

Following: "53-3-205," on line 10

Insert: "AND 53-3-206,"

4. Page 5, lines 22 and 23.

Strike: ", but only for inpatient hospital services,"

5. Page 6.

Following: line 11

Insert: "Section 3. Section 53-3-206, MCA, is amended to read:

"53-3-206. Eligibility for general relief medical assistance.

(1) In order to be considered ~~for eligibility~~ eligible for general relief medical assistance, a person must be found to have a serious medical condition.

(2) Eligibility for general relief medical assistance must be determined as provided in 53-3-205 and this section. A Except as provided in subsection (9), a person with a serious medical condition must apply for general relief medical assistance prior to the provision of medical services or within 90 days of the date the medical service is first provided. Eligibility is determined as of the date medical service is first provided.

(3) All persons who reside in the same residence and are either married to each other or are the parents or children of other persons living in the same residence are considered to be one household for purposes of determining general relief medical assistance.

(4) All individual or household resources must be used to offset medical obligations except those resources excluded in 53-3-205(7) or used to offset nonmedical general relief payments during the same period.

(5) A household is ineligible to receive general relief medical assistance if the household is ineligible for medicaid as a result of overpayment, fraud, or failure or refusal to comply with requirements for continued participation in the medicaid program.

(6) To determine eligibility for county general relief medical assistance, a county welfare board may promulgate rules to establish the circumstances under which persons are unable to pay for their medical aid and hospitalization. However, no

household with an income exceeding 300% of the amount set forth in 53-3-205(2) is eligible for such medical assistance.

(7) In a county with state-assumed welfare services, a person is not eligible for medical services if the household in which he resides has an average monthly income after consideration of the earned income disregard provided for in 53-3-205(3), reasonably certain to be received in a 12-month period beginning with the month the medical service was provided, in excess of the amount established by the department by rule. The department shall establish the amount, taking into account the size of the household and the estimated number of eligible households. The amount must be 150% of the amount established in 53-3-205(2).

(8) Notwithstanding the other provisions of this section, in a county with state-assumed welfare services, a person whose eligibility for general relief assistance is terminated because of earned income from employment may continue to receive general relief medical assistance for 1 month.

(9) A person described in 53-3-205(8)(b) is immediately eligible for general relief medical assistance if declared indigent by the district court. No other requirements for eligibility may apply except that the person must have a serious medical condition for which treatment is medically necessary."

NEW SECTION. Section 4. Appropriation. The following money is appropriated from the general fund to the department of social and rehabilitation services to provide for the additional general medical relief assistance required in [sections 1 and 2]:

Fiscal Year 1992	\$254,441
Fiscal Year 1993	339,255"

And, as amended, do pass. Report adopted.

HB 285, introduced bill, be amended as follows:

2/6/91

1. Page 1, line 16.

Following: "district"

Insert: "by one or both of the following methods"

2. Page 1, line 17.

Following: "(a)"

Strike: "by"

3. Page 1, line 20.

Following: "taxes;"

Strike: "or"

4. Page 1, line 21.

Following: "(b)"

Strike: "by"

Following: "collecting"

Strike: "a"

Insert: "an annual"

And, as amended, do pass. Report adopted.

HB 290, introduced bill, do pass and be placed on the consent calendar.
Report adopted. 2/5/91

STATE ADMINISTRATION (J. Brown, Chairman): 2/6/91

HB 427, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

TAXATION (Harrington, Chairman): 2/6/91

HB 392, introduced bill, be amended as follows:

1. Page 2, lines 7 through 10.

Strike: "The" on line 7 through "revenue." on line 10

2. Page 2, line 11.

Strike: "for that purpose"

Following: "to time"

Insert: "to hear protests concerning assessments made by the department
of revenue"

And, as amended, do pass. Report adopted.

SB 70, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/5/91

HB 89, introduced by Grady

HB 243, introduced by J. Brown

House bill concurred in as amended and returned to the House for
concurrence in Senate amendments: 2/5/91

HB 98, introduced by Dolezal

Senate bills passed and transmitted to the House for concurrence:

2/5/91

SB 88, introduced by B. Brown

SB 116, introduced by Noble

SB 121, introduced by Keating

SB 127, introduced by Weeding

SB 141, introduced by Waterman

SB 158, introduced by Jergeson

SB 162, introduced by Harding

SB 164, introduced by Harp

SB 181, introduced by Devlin

The Senate, on 2/5/91, acceded to the request of the House and appointed
a conference committee to meet with a like committee from the House to
confer on HB 113.

President Mazurek appointed the following members:

Senator Halligan, Chairman

Senator Svrcek

Senator Crippen

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 615, introduced by Thoft, Ream, referred to Committee on Fish and Game

HB 616, introduced by Peck, Hockett, Pipinich, Manning, Bruski, Harding, Jergeson, Bachini, referred to Committee on Appropriations

HB 617, introduced by Ream, Halligan, Harrington, Brooke, Eck, referred to Committee on Taxation

HB 618, introduced by Bergsagel, Whalen, Toole, Mercer, Strizich, referred to Committee on Judiciary

HB 619, introduced by Kimberley, Blaylock, Dolezal, McCulloch, Darko, Nisbet, Whalen, Cocchiarella, J. Johnson, Kilpatrick, Fagg, Peck, Schye, Gervais, B. Brown, Stickney, Davis, Harper, referred to Committee on Education and Cultural Resources

HB 620, introduced by Squires, Weeding, referred to Committee on Human Services and Aging

HB 621, introduced by Swysgood, referred to Committee on Education and Cultural Resources

HB 622, introduced by Swysgood, referred to Committee on Agriculture, Livestock, and Irrigation

HB 623, introduced by Cohen, Measure, Larson, Brooke, Ream, Wanzenried, referred to Committee on Fish and Game

HB 624, introduced by Kadas, Svrcek, Yellowtail, Davis, Barnhart, Cohen, Ream, Elliott, Wanzenried, Strizich, referred to Committee on State Administration

HB 625, introduced by L. Nelson, Cody, Hockett, Stepler, Tveit, Schye, J. DeBruycker, Peterson, Nathe, referred to Committee on Business and Economic Development

HB 626, introduced by L. Nelson, Peterson, Swift, Koehnke, Nathe, referred to Committee on Business and Economic Development

HB 627, introduced by Elliott, Squires, Connelly, J. Brown, Strizich, Schye, Halligan, J. Johnson, Franklin, Dolezal, Wanzenried, referred to Committee on Human Services and Aging

HB 628, introduced by Whalen, B. Brown, Jacobson, Harper, Raney, Pipinich, Anderson, Pavlovich, Lynch, Squires, Bachini, Schye, Towe, Driscoll, Menahan, Nathe, Galvin, Devlin, Tveit, Fritz, Weeding, Yellowtail, Manning, Gervais, Peck, Southworth, O'Keefe, Ream, Harrington, J. Johnson, Quilici, Nisbet, Kadas, Stang, D. Brown, Daily, Strizich, G. Beck, McCarthy, Dowell, T. Beck, Hager, Koehnke, Gould, Cocchiarella, Bardanouve, Schye, Knox, Wanzenried, Connelly, Thoft, referred to Committee on Labor and Employment Relations

HJR 18, introduced by Harrington, Lynch, Menahan, Pavlovich, McCarthy, Driscoll, Daily, Whalen, O'Keefe, Harper, Larson, Kilpatrick, Brooke,

Jacobson, Stimatz, Doherty, Toole, Davis, Ream, referred to Committee on Labor and Employment Relations

HJR 19, introduced by Wallin, Ellison, Barnett, Kilpatrick, Hayne, Keller, Ellis, Peterson, Spring, H.S. Hanson, Bergsagel, Quilici, Ream, Kimberley, J. Johnson, Fagg, Hoffman, Bachini, Gilbert, Bianchi, referred to Committee on Fish and Game

The following Senate bills were introduced, read first time, and referred to committee:

SB 88, introduced by B. Brown (by request of the Board of Public Education), referred to Committee on Education and Cultural Resources

SB 116, introduced by Noble, Quilici, Harrington, Nathe, Squires, referred to Committee on Taxation

SB 121, introduced by Keating, referred to Committee on Highways and Transportation

SB 127, introduced by Weeding, Bengtson, Whalen, T. Nelson, referred to Committee on Education and Cultural Resources

SB 141, introduced by Waterman, Mazurek, Eck, Barnhart, Forrester, Schye, Nathe, referred to Committee on Education and Cultural Resources

SB 158, introduced by Jergeson, L. Nelson, Williams, referred to Committee on Business and Economic Development

SB 162, introduced by Harding, Gage, Vaughn (by request of the Department of State Lands), referred to Committee on Local Government

SB 164, introduced by Harp, Stang, Weeding, J. Rice (by request of the Governor), referred to Committee on Highways and Transportation

SB 181, introduced by Devlin, Kasten (by request of the Department of State Lands), referred to Committee on Agriculture, Livestock, and Irrigation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kilpatrick in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 252 - Representative Forrester moved consideration of HB 252 be passed for the day. Motion carried.

HB 286 - Representative Strizich moved HB 286 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick,

Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Darko, Aye.

Excused: Clark, Thomas.

Total 2

Absent or not voting: None.

Total 0

HB 303 - Representative Driscoll moved consideration of HB 303 be passed for the day. Motion carried.

HB 311 - Representative Hoffman moved HB 311 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bachini, Brooke, Elliott, Measure, Peck.

Total 5

Voted Absentee: Darko, Aye.

Excused: Clark, Thomas.

Total 2

Absent or not voting: None.

Total 0

HB 326 - Representative Driscoll moved consideration of HB 326 be passed for the day. Motion carried.

HB 333 - Representative Brooke moved HB 333 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Bachini, Bergsagel, Boharski, Clark, Cody, Feland, Forrester, Galvin, Gilbert, Grinde, M. Hanson, Knox, McCarthy, Menahan, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Scott, Stang, Stepler, Wallin.

Total 24

Voted Absentee: Clark, No.

Excused: Darko.

Total 1

Absent or not voting: J. Rice.

Total 1

HB 341 - Representative Bradley moved HB 341 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Clark, Darko.

Total 2

Absent or not voting: Kilpatrick.
Total 1

HB 353 - Representative Strizich moved HB 353, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 19.

Following: "electors"

Strike: "at a general election"

2. Page 3, line 1.

Following: "THE"

Strike: "NEXT GENERAL"

Following: "ELECTION"

Insert: "for the office as provided by law"

3. Page 3, line 3.

Following: "AT"

Strike: "THAT GENERAL"

Insert: "the"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Benedict, Gould, Knox, Simpkins, Spring.
Total 5

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

Representative Strizich moved HB 353, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Simpkins.

Total 1

Excused: Clark.

Total 1

Absent or not voting: Fagg, Spring.

Total 2

HB 376 - Representative Messmore moved HB 376 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 77

Noes: Bachini, Beck, Bergsagel, Cobb, Davis, J. DeBruycker, Elliott, Grinde, Kadas, Larson, Lee, Measure, L. Nelson, Peterson, Phillips, Scott, Stepler, Swysgood, Thoft, Zook.

Total 20

Excused: Clark.

Total 1

Absent or not voting: H. S. Hanson, Simpkins.

Total 2

HB 379 - Representative Brooke moved HB 379 do pass.

Representative Gould made a substitute motion HB 379 do not pass. Motion failed. (34-65)

Thereupon, HB 379 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Gervais, Grady, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 66

Noes: Bachini, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, Daily, R. DeBruycker, Ellison, Feland, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, McCaffree, McCarthy, Menahan, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Scott, Simpkins, Stepler, Swysgood, Thomas, Zook.

Total 33

Voted Absentee: Stang, Aye.

Excused: None.

Total 0

Absent or not voting: Kilpatrick.

Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kilpatrick moved the adoption of the committee report. Report adopted. (82-15)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/6/91

Examined by the sponsor and found to be correct:

HB 43 - Cobb

Signed by the Speaker at 1:30 p.m., 2/6/91: HB 43, SB 2, SB 61.

Delivered to the Governor for his approval at 2:25 p.m., 2/6/91: HB 43.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/6/91

HB 241, introduced bill, be amended as follows:

1. Title, line 6.

Following: "INSURERS;"

Strike: "AND"

Insert: "IMPOSING A FINANCIAL DISCLOSURE REPORTS FEE ON EACH PROPERTY AND CASUALTY INSURER; PROVIDING A STATUTORY APPROPRIATION;"

Following: "PENALTY"

Insert: "; AND AMENDING SECTION 17-7-502, MCA"

2. Page 1, lines 14 and 15.

Following: "necessary)"

Strike: remainder of line 14 and through "appropriate" on line 15

3. Page 2, lines 5 and 6.

Following: "rulemaking." on line 5

Strike: remainder of line 5 through "the" on line 6

Insert: "The"

4. Page 5, lines 17 and 18.

Following: "to" on line 17

Strike: remainder of line 17 through "person" on line 18

Insert: "a legislative committee that requests the report and to any member of the public"

5. Page 5, lines 23 and 24

Following: "Penalty." on line 23

Strike: remainder of line 23 through "terms" on line 24

Insert: "If after written complaint the commissioner finds that the provisions"

6. Page 5, lines 24 and 25.

Following: "4]" on line 24

Strike: remainder of line 4 through "penalty" on line 25

Insert: "have been violated, the commissioner may impose a fine"

7. Page 5, line 25.

Following: first "of"

Insert: "not more than"

8. Page 5, line 25 through page 6, line 3.

Following: "\$10,000" on line 25

Strike: remainder of line 25 through "title" on page 6, line 3

Insert: "and, as provided in 33-2-119, may suspend or revoke the certificate of authority of an insurer who violates the provisions of [sections 1, 2, and 4]"

9. Page 6, line 4.

Following: line 3

Insert: "NEW SECTION. Section 6. Financial disclosure reports fee -- statutory appropriation. (1) Each property and casualty insurer shall pay to the commissioner each year a financial disclosure reports fee of \$50 that must be deposited to the credit of the commissioner in an account in the state special revenue fund.

(2) The money in the account created in subsection (1) is statutorily appropriated, as provided in 17-7-502, to the commissioner to defray the costs of administering [sections 1 through 6].

Section 7. Section 17-7-502, MCA, is amended to read:
"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1) A statutory appropriation is an

appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; section 6; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

Renumber: subsequent sections.

10. Page 6, lines 5 and 7.

Strike: "5"

Insert: "6"

And, as amended, do pass. Report adopted.

HB 411, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BEER"

Insert: ", TABLE WINE,"

2. Title, line 7.

Following: "REVENUE;"

Insert: "TO REQUIRE RECORDKEEPING;"

Following: "16-3-325"

Insert: ", 16-3-405,"

3. Page 1, line 22.

Following: "delivered."

Insert: "A carrier shall retain for 30 months all pertinent and relevant records necessary for the preparation of this report and any other information the department may require."

4. Page 1, line 23.

Following: line 22

Insert: "Section 2. Section 16-3-405, MCA, is amended to read:

"16-3-405. Carriers' reports of table wine transported. Every railroad, motor carrier, and airline transporting table wine manufactured out of this state from points outside this state and delivering to points within this state shall, if requested by the department, on or before the fifteenth day of each month, make an exact return to the department of revenue of the amount of such table wine so transported and delivered by such railroad, motor carrier, or airline during the previous month, and shall state in such return the name and address of the consignor and consignee, the date of delivery, and the amount delivered. A carrier shall retain for 30 months all pertinent and relevant records necessary for the preparation of this report and any other information the department may require."

Renumber: subsequent section

5. Page 2, line 7.

Following: "require."

Insert: "A carrier shall retain for 30 months all pertinent and relevant records necessary for the preparation of this report and any other information the department may require."

NEW SECTION. Section 4. Coordination instruction. If Senate Bill No. 116 is passed and approved, including a section extending the statute of limitations for assessments by the state from 2 years to 5 years, the code commissioner shall change the language in the amendment to 16-11-104, requiring the retention of records regarding cigarette shipments, from 30 months to 66 months."

And, as amended, do pass. Report adopted.

HB 471, introduced bill, do pass. Report adopted.

HJR 15, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/6/91

HB 410, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Strike: "UNLESS THE SERVICE TO BE PROVIDED AT THE OFFICE IS SUBJECT TO CERTIFICATE OF NEED"

2. Page 4, line 20.

Strike: "unless"

3. Page 4, lines 21 and 22.

Strike: all of line 21 through "need" on line 22

And, as amended, do pass. Report adopted.

HB 413, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "PROHIBITING"

Insert: "AUTHORIZING"

2. Title, line 7.

Strike: "FROM TREATING ANY ABNORMALITY BY SURGERY"

3. Page 4, lines 9 and 10.

Strike: "or a recognized"

Insert: "and may also be made by a board-recognized"

4. Page 5, line 6.

Strike: "surgically"

Following: "abnormalities"

Insert: ", except that a licensed denturist may apply tissue conditioning agents"

5. Page 5, line 21.

Strike: "."

Insert: "."

6. Page 5, lines 22 through 25.

Following: line 21

Strike: subsection (d) in its entirety

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 6, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bill 18 on 2/6/91.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 629, introduced by McCulloch, Ellis, Jergeson, Benedict, Keating, Blaylock, Wallin, Phillips, R. DeBruycker, Driscoll, Dowell, Scott, Gilbert, Thomas, Cromley (by request of the Secretary of State), referred to Committee on Business and Economic Development

HB 630, introduced by McCulloch, Harper, O'Keefe, Ellis, Darko, Raney, Madison, Blaylock, Barnett, Keating, Benedict, Knox, Wallin, Phillips, Thomas, Gilbert, referred to Committee on Natural Resources

HB 631, introduced by McCulloch, D. Brown, Toole, Whalen, Halligan, Knox, Strizich, Lee, Gould, Keller, Darko, Schye, Wyatt, Squires, Madison, Russell, Becker, Yellowtail, Benedict, Hoffman, R. DeBruycker, Gilbert, Scott, Thomas, Keating, referred to Committee on Judiciary

HB 632, introduced by Brooke, Fritz, Harper, Davis, Southworth, Barnhart, Squires, Wanzenried, Cohen, Kadas, Elliott, Ream, referred to Committee on State Administration

HB 633, introduced by Brooke, Fritz, Southworth, Barnhart, Ream, Kadas, Elliott, Wanzenried, referred to Committee on State Administration

HB 634, introduced by Cohen, Eck, Barnhart, Elliott, Towe, Bardanouve, Schye, B. Brown, Harding, Cody, referred to Committee on State Administration

HB 635, introduced by Measure, Mazurek, L. Nelson, Strizich, Messmore, referred to Committee on Judiciary

HB 636, introduced by Elliott, Svrcek, Stang, referred to Committee on Highways and Transportation

HB 637, introduced by Becker, Cocchiarella, Dowell, Blaylock, Franklin, Messmore, O'Keefe, Hoffman, referred to Committee on Natural Resources

HB 638, introduced by Schye, Gilbert, referred to Committee on Highways and Transportation

HB 639, introduced by Hansen, Steppler, Schye, Gervais, Stickney, Larson, Kilpatrick, Cromley, Scott, Squires, Wyatt, Toole, McCarthy, Whalen (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources

HB 640, introduced by J. Brown (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

HB 641, introduced by Knox, Grinde, M. Hanson, Williams, Tunby, Ellis, Larson, Toole, Zook, McCaffree, referred to Committee on Natural Resources

HB 642, introduced by Cocchiarella, Darko, Kimberley, McCulloch, Stickney, S. Rice, Gervais, Strizich, referred to Committee on Human Services and Aging

HB 643, introduced by Squires, referred to Committee on Labor and Employment Relations

HB 644, introduced by Ream, Van Valkenburg, Cocchiarella, Raney, B. Brown, Cohen, Cody, Schye, Fritz, Eck, Fagg, Towe, Russell, O'Keefe, Doherty, Harding, Stang, Darko, Southworth, Harper, Driscoll, Bianchi, Toole, referred to Committee on State Administration

HB 645, introduced by L. Nelson, Nathe, referred to Committee on Appropriations

HB 646, introduced by Madison, Koehnke, Bachini, Peck, referred to Committee on Highways and Transportation

HB 647, introduced by Schye, Lynch, Harrington, O'Keefe, Davis, Cohen, Daily, Stang, Nisbet, McCarthy, Menahan, Wyatt, Darko, Blaylock, Larson, Gervais, Whalen, Kimberley, Cocchiarella, Raney, J. Johnson, Scott, McCulloch, Galvin, Ream, Becker, Jergeson, Yellowtail, Waterman (by request of the Superintendent of Public Instruction), referred to Committee on Education and Cultural Resources

HB 648, introduced by Wanzenried, Harp, referred to Committee on Natural Resources

HB 649, introduced by Squires, Toole, Halligan, Strizich, Jergeson, referred to Committee on Judiciary

HB 650, introduced by Squires, Toole, Strizich, Jergeson, referred to Committee on State Administration

HB 651, introduced by Harrington, referred to Committee on Business and Economic Development

HJR 20, introduced by Wallin, referred to Committee on Education and Cultural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 227 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: R. DeBruycker.

Total 1

Voted Absentee: Stang, Aye.

Excused: None.

Total 0

Absent or not voting: Gervais.

Total 1

HB 280 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: J. Rice.
Total 1

Voted Absentee: Stang, Aye.

Excused: None.
Total 0

Absent or not voting: Gervais, S. J. Hansen.
Total 2

HB 292 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Stang.
Total 1

Absent or not voting: None.
Total 0

HJR 7 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Stang.

Total 1

Absent or not voting: Cohen.

Total 1

SB 6 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Stang.

Total 1

Absent or not voting: None.

Total 0

SJR 1 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Cromley, R. DeBruycker, Dowell, Feland, Forrester, Peck, Phillips, Raney, Simpkins, Swysgood, Thomas, Zook.

Total 12

Excused: Stang.

Total 1

Absent or not voting: Quilici.

Total 1

MOTIONS

Representative Driscoll moved HB 285 be taken from printing and rereferred to the Committee on Taxation. Motion carried.

Representative Peck moved HB 376 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative J. Rice moved HB 426 be changed to reflect Representative Cromley as chief sponsor. Motion carried.

Representative Wyatt moved HB 212 be taken from printing and rereferred to the Committee on Judiciary. Motion carried.

Representative Ream moved HB 609 be taken from the Committee on Taxation and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Thursday, February 7, 1991. Motion carried.

House adjourned at 3:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 7, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative R. DeBruycker. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/7/91
Correctly printed: HB 63, HB 65, HB 83, HB 87, HB 122, HB 131, HB 141,
HB 187, HB 232, HB 241, HB 356, HB 381, HB 388, HB 392, HB
410, HB 411, HB 471, HJR 15.
Correctly engrossed: HB 286, HB 290, HB 301, HB 311, HB 333, HB 341,
HB 353, HB 379, HB 427.
Signed by the Speaker on 2/7/91: SB 36.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/6/91
HB 117, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Following: "PROCESSION;" on line 7
Strike: remainder of line 7 through "DAMAGES" on line 8
Insert: "PROVIDING THAT AN OPERATOR OF A VEHICLE IN A FUNERAL
PROCESSION IS NOT NEGLIGENT IF HE FOLLOWS THE
REQUIREMENTS OF THIS ACT; PROVIDING THAT NEGLIGENCE
MAY NOT BE IMPUTED TO A FUNERAL DIRECTOR OR
MORTICIAN IF NO NEGLIGENCE EXISTS ON THE PART OF THE
OPERATOR OF A VEHICLE IN A FUNERAL PROCESSION"
2. Page 2, lines 8 through 10.
Following: "[section 6]" on line 8
Strike: remainder of line 8 through "license" on line 10
3. Page 2, lines 14 through 16.
Following: "procession" on line 14
Strike: remainder of line 14 through "license" on line 16
4. Page 3, line 10.
Following: "."
Insert: "When the funeral lead vehicle arrives at an intersection, it must
comply with the requirements of any official traffic-control device,
right-of-way provision of this chapter, and local ordinance."
5. Page 3, lines 20 through 23.
Following: "device." on line 20
Strike: remainder of line 20 through "intersection." on line 23
Insert: "Persons directing traffic shall comply with the provisions of 61-1-
411."
6. Page 3, line 25.
Following: "A"
Insert: "vehicle in a"

7. Page 4, line 2.

Following: "devices"

Insert: "provided the driver of that vehicle and the drivers of all vehicles in the funeral procession meet all the requirements of [sections 2 through 8]"

8. Page 4, line 4.

Strike: "visible"

Insert: "visual"

9. Page 4, line 6.

Following: "."

Insert: "This section does not relieve the driver of a vehicle in a funeral procession from the duty to drive with due regard for the safety of all persons using the highway."

10. Page 4, line 10.

Strike: "circulation"

Insert: "rotating or oscillating"

11. Page 4, line 14.

Strike: "flashing"

Insert: "rotating or oscillating"

12. Page 6, line 3.

Following: "procession"

Insert: "being conducted in compliance with [sections 2 through 8]"

13. Page 6, line 10.

Following: "of"

Strike: "the"

Insert: "a vehicle participating in a"

14. Page 6, line 11 through page 7, line 3.

Following: "Liability." on line 11

Strike: remainder of section 9 in its entirety

Insert: "The operator of a vehicle in a funeral procession, including a lead vehicle or an escort vehicle, is not negligent if he operates the vehicle in accordance with the requirements of [sections 2 through 8]. When no negligence exists on the part of the operator of a vehicle in a funeral procession, none may be imputed to the funeral director or mortician organizing the procession, to the agent of the funeral director or mortician, or to a member of a local law enforcement agency acting as the agent, with or without compensation, of the funeral director or mortician."

And, as amended, do pass. Report adopted.

HB 133, introduced bill, be amended as follows:

1. Page 2, line 1.

Following: "carrying"

Insert: "seven or more"

2. Page 2, line 2.

Following: "bus"

Insert: "with or without passengers"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/7/91

HB 429, introduced bill, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/7/91

HB 383, introduced bill, do pass. Report adopted.

HB 414, introduced bill, be amended as follows:

1. Statement of Intent, page 1, line 21.

Following: "of"

Insert: "water pollution prevention and"

2. Page 2, line 20.

Following: line 19

Insert: "(a) to respond if wastes have been placed in a location where they are likely to cause pollution of state waters;"

ReNUMBER: subsequent subsections

3. Page 3, line 8.

Following: "{a} (i)"

Insert: "wastes have been placed in a location where they are likely to cause pollution of state waters or"

4. Page 3, line 10.

Following: "fails to"

Insert: "clean up the wastes or to"

5. Page 3, line 14.

Following: "necessary to"

Insert: "prevent pollution of state waters,"

And, as amended, do pass. Report adopted.

HJR 8, introduced bill, be amended as follows:

1. Page 2, lines 7 through 22.

Strike: subsections (2) through (5) in their entirety.

Insert: "(2) That the Council should encourage regulators in the Northwest to eliminate economic disincentives to investments by electric utilities in cost-effective energy conservation resources; and

(3) That the Council should encourage regulators in the Northwest to adopt ratemaking policies which do not encourage electric utilities to promote inefficient increased usage of electric energy; and

(4) That the Council should encourage regulators and electric utilities in the Northwest to explicitly consider environmental costs in their resource choices."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
HB 158, third reading copy, be amended as follows:

2/7/91

1. Page 1, line 16.

Strike: "fund"

Insert: "program"

2. Page 1, line 18.

Strike: "cash"

3. Page 1, line 19.

Strike: "or other"

4. Page 2, line 11.

Strike: "fund"

Insert: "program"

5. Page 2, line 12.

Strike: "cash or other"

6. Page 2, line 22.

Strike: "fund"

Insert: "program"

7. Page 2, line 24.

Strike: "cash or other"

8. Page 3, line 10.

Strike: "fund"

Insert: "program"

9. Page 3, line 12.

Strike: "cash or other"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

2/6/91

HB 181, introduced by Larson

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 652, introduced by Whalen, Measure, Toole, referred to Committee on Judiciary

HB 653, introduced by Whalen, Measure, Hoffman, Bradley, Nathe, J. Rice, Van Valkenburg, Cobb, D. Brown, referred to Committee on Judiciary

HB 654, introduced by Ellis, Spring, Menahan, Peterson, L. Nelson, Darko, referred to Committee on Education and Cultural Resources

HB 655, introduced by Grady, S. Rice, Williams, Steppler, Harper, Ellison, R. DeBruycker, Noble, referred to Committee on Business and Economic Development

HB 656, introduced by D. Brown, Menahan, Jacobson, referred to Committee on Education and Cultural Resources

HB 657, introduced by J. Johnson, referred to Committee on Local Government

HB 658, introduced by Bachini, Hansen, Lynch, Pavlovich, Daily, Barnett, Bergsagel, M. Hanson, Peck, Kilpatrick, Wallin, Manning, Swysgood, Thoft, Davis, Steppler, Elliott, Nathe, Menahan, Quilici, Boharski, referred to Committee on Education and Cultural Resources

HB 659, introduced by T. Nelson, Hager, Southworth, Kilpatrick, referred to Committee on Highways and Transportation

HJR 21, introduced by Whalen, referred to Committee on Human Services and Aging

HJR 22, introduced by D. Brown, referred to Committee on State Administration

HJR 23, introduced by Lee, Boharski, Cobb, Connelly, Thomas, Mercer, Harper, Driscoll, J. Brown, referred to Committee on Legislative Administration

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative M. Hanson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 252 - Representative Mercer moved HB 252 be placed below SB 41 on the second reading board. Motion carried.

HB 303 - Representative Bradley moved HB 303, second reading copy, be amended as follows (amendment #1):

1. Title, line 12.

Following: "NUMBERS;"

Insert: "PROVIDING IMMUNITY TO ENTITIES PROVIDING EMERGENCY COMMUNICATIONS SYSTEMS AND RELATED SERVICES;"

2. Page 1, line 19.

Following: "PROVIDERS"

Insert: "should be granted immunity when they provide emergency communications systems and related services and that they"

3. Page 2, line 5.

Following: "INFORMATION."

Insert: "(1)"

4. Page 2, line 25.

Following: line 24

Insert: "(2) A local exchange telephone company or other telecommunications entity providing emergency communications systems and related services and its employees and agents are not liable in tort to any person for damages alleged to have been caused by the design, development, installation, maintenance, or provision of emergency communications systems or related services unless the entities or persons act with malice or criminal intent or commit reckless, willful, and wanton misconduct.

(3) For the purposes of this section, "reckless, willful, and wanton misconduct" means an intentional and knowing act, or failure to act, that creates an unreasonable risk of harm to another and that involves a high degree of probability that harm will result."

Amendment #1 passed as follows:

Ayes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, Ream, S. Rice, Schye, Scott, Simpkins, Spring, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 55

Noes: Bachini, Bardanoue, Beck, Becker, Brooke, D. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Peck, Quilici, Raney, J. Rice, Russell, Southworth, Squires, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Bradley moved HB 303, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips,

Ream, Schye, Scott, Simpkins, Spring, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 54

Noes: Bachini, Bardanouve, Beck, Becker, Brooke, D. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Russell, Southworth, Squires, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 326 - Representative Thomas moved HB 326, second reading copy, be amended as follows (amendment #1):

1. Page 1, lines 18 through 20.
Following: "guard"
Strike: remainder of line 18 through "war" on line 20

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

Representative Thomas moved HB 326, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck, Stepler.

Total 2

Excused: None.

Total 0

Absent or not voting: Gervais, Tunby.

Total 2

SB 41 - Representative Driscoll moved SB 41 be placed at the bottom of the second reading board. Motion carried.

HB 252 - Representative Mercer moved HB 252, second reading copy, be amended as follows (amendment #1):

1. Title, line 6.

Following: "45"

Strike: "30"

Insert: "20"

2. Title, line 7.

Following: "LIEN;"

Insert: "PROVIDING AN EXCEPTION;"

3. Page 2, line 7.

Following: "(3)"

Strike: "This"

Insert: "Except as provided in subsection (4), this"

4. Page 2, line 7.

Following: "45"

Strike: "30"

Insert: "20"

5. Page 2, line 12.

Following: line 11

Strike: "30-DAY"

Insert: "20-day"

6. Page 2, line 13.

Following: line 12

Insert: "(4) Where payment for services or materials furnished pursuant to a real estate improvement contract are made by or on behalf of the contracting party from funds provided by a regulated lender and secured by an interest, lien, mortgage or encumbrance for the purpose of paying the particular real estate improvement being lienied, the notice required by this section must be given no later than 45 days after the date on which the services or materials are first furnished to the contracting owner. If notice is not given within this period, a lien is enforceable only for the services or materials furnished within the 45-day period before the date on which notice is given."

Renumber: subsequent subsections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 86

Noes: Cohen, Connelly, Daily, J. DeBruycker, Elliott, McCaffree, Measure, Messmore, Pavlovich, J. Rice, Wyatt, Mr. Speaker.
Total 12

Excused: None.
Total 0

Absent or not voting: Grady, Hoffman.
Total 2

Representative Forrester moved HB 252, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.

Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Daily, R. DeBruycker, H. S. Hanson, McCaffree, Messmore.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 54 - Representative Messmore moved SB 54 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Schye.
Total 1

SB 68 - Representative Messmore moved SB 68 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 150 - Representative Driscoll moved consideration of SB 150 be placed at the bottom of the second reading board. Motion carried.

HB 125 - Representative Gervais moved HB 125 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Bergsagel, Boharski, Foster, Gilbert, Grinde, H. S. Hanson, Knox, Peck, Simpkins, Spring, Stepler, Swysgood, Thoft.

Total 13

Excused: None.

Total 0

Absent or not voting: Ellison, Kasten, Peterson.

Total 3

HB 268 - Representative Measure moved HB 268 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly,

Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 78

Noes: Bachini, Benedict, Bergsagel, Cobb, Feland, Gilbert, Grinde, H. S. Hanson, J. Johnson, Kasten, Knox, Peck, Peterson, Phillips, Spring, Stang, Steppler, Swysgood, Thoft, Zook.
Total 20

Excused: None.
Total 0

Absent or not voting: Ellison, Simpkins.
Total 2

HB 310 - Representative Hoffman moved HB 310 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: S. J. Hansen.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 321 - Representative Ream moved HB 321 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody,

Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Benedict, R. DeBruycker, Ellis, Grinde, Hayne, Keller, McCaffree, Peterson, Phillips, Swysgood, Thoft.
Total 12

Excused: None.
Total 0

Absent or not voting: Ellison, Whalen.
Total 2

HB 347 - Representative Gervais moved HB 347 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 90

Noes: Boharski, Brooke, J. DeBruycker, R. DeBruycker, Ellison, Lee, L. Nelson, Ream, Wyatt.
Total 9

Excused: None.
Total 0

Absent or not voting: Whalen.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman M. Hanson moved the adoption of the committee report. Report adopted. (98-1)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/7/91

HB 442, introduced bill, be amended as follows:

1. Page 1, line 22.

Following: "the"

Insert: ":

(i)"

2. Page 1, line 25.

Following: "sale;"

Insert: "or

(ii) seller has an existing business relationship with the buyer;"

3. Page 2, line 5.

Following: "or"

Insert: "or"

4. Page 2, lines 6 through 8.

Following: "policy;" on line 6

Strike: remainder of lines 6 and 7 in their entirety and line 8 through
"buyer"

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

2/7/91

HB 151, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Strike: "PROVIDING" on line 5 through "STATE;" on line 7

2. Title, line 9.

Strike: "DAYS"

Insert: "MONTHS"

3. Title, lines 10 and 11.

Strike: "SECTIONS 15-24-303 AND"

Insert: "SECTION"

4. Page 1, lines 15 through 25.

Strike: section 1 in its entirety

Renumber: subsequent sections

5. Page 2, line 3.

Following: "property."

Insert: "(1)"

6. Page 2, line 10.

Following: "time"

Insert: "and upon proof that a tax was paid in another state"

7. Page 2, line 12.

Strike: "days"

Insert: "months"

8. Page 2, lines 13 through 17.

Strike: ". The" on line 13 through "due." on line 17

Insert: ", as provided in this section.

(2) To obtain a refund, a taxpayer shall file an application for refund with the county treasurer in the county where the property was originally taxed."

9. Page 2, line 19.

Following: "assessment"

Strike: "."

Insert: ", and the county shall make the refund within the first quarter of the following fiscal year. The application must be made on a form provided by the department of revenue and may require information as prescribed by rule of the department.

(3) The amount of the refund must be determined by multiplying the amount of the original tax paid by the ratio of the number of months remaining in the year at the time the property was removed divided by 12."

10. Page 2, line 21.

Strike: "Sections 1 and 2] apply"

Insert: "Section 1] applies"

And, as amended, do pass. Report adopted.

HB 408, introduced bill, do pass. Report adopted.

SB 81, third reading copy, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 660, introduced by Cohen, Raney, referred to Committee on Natural Resources

HB 661, introduced by J. Brown, Hansen, Squires, Wyatt, Whalen, Darko, O'Keefe, McCulloch, D. Brown, referred to Committee on State Administration

HB 662, introduced by J. Brown, referred to Committee on Human Services and Aging

HB 663, introduced by Dowell, referred to Committee on Labor and Employment Relations

HB 664, introduced by Southworth, Driscoll, Crippen, Blaylock, Fagg, referred to Committee on Business and Economic Development

HB 665, introduced by Barnhart, Squires, Barnett, McCulloch, Driscoll, Cocchiarella, Waterman, Darko, referred to Committee on Education and Cultural Resources

HB 666, introduced by Barnhart, Russell, Cocchiarella, Eck, Hoffman, Jacobson, J. Brown, referred to Committee on Human Services and Aging

HB 667, introduced by Darko, R. Johnson, Mercer, referred to Committee on Business and Economic Development

HB 668, introduced by Darko, J. Rice, Fagg, Messmore, Strizich, Brooke, Dolezal, G. Beck, referred to Committee on Highways and Transportation

HB 669, introduced by Cocchiarella, referred to Committee on Labor and Employment Relations

HB 670, introduced by Daily, Harrington, Pavlovich, referred to Committee on Natural Resources

HB 671, introduced by Gilbert, Harper, Eck, Raney, Bradley, Wallin, Lee, referred to Committee on Natural Resources

HB 672, introduced by Fagg, R. Johnson, Scott, Larson, Franklin, McCulloch, Gage, Squires (by request of the State Auditor), referred to Committee on Business and Economic Development

HB 673, introduced by D. Brown, Gage (by request of the Gaming Advisory Council), referred to Committee on Judiciary

HB 674, introduced by Cobb, referred to Committee on Business and Economic Development

HB 675, introduced by Squires, Toole, Halligan, referred to Committee on Judiciary

HB 676, introduced by Forrester, Waterman (by request of the Gaming Advisory Council), referred to Committee on Judiciary

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 107 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Benedict, Cody, Ellison, Foster, Grinde, Hayne, Kasten, Knox, Mercer, Nisbet, Peterson, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 115 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Elliott, Raney, Ream.

Total 4

Excused: None.

Total 0

Absent or not voting: Galvin.

Total 1

HB 203 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 63

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, Cobb, Connelly, R. DeBruycker, Ellis, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Lee, Mercer, Messmore, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 36

Excused: None.

Total 0

Absent or not voting: Forrester.

Total 1

HB 266 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellison.

Total 1

HB 331 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Kasten, Knox, Steppler.

Total 3

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 338 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Elliott, Hayne, McCaffree, Phillips, Simpkins, Swysgood.
Total 7

Excused: None.

Total 0

Absent or not voting: Galvin.

Total 1

HB 348 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 90

Noes: Boharski, Clark, Gilbert, Hayne, Kasten, Mercer, T. Nelson, Thomas, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: Feland.

Total 1

HB 403 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Beck, Peck.

Total 2

Excused: None.

Total 0

Absent or not voting: S. J. Hansen.

Total 1

SB 155 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: R. DeBruycker.

Total 1

HB 372 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 480 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Peck.
Total 1

Excused: None.
Total 0

Absent or not voting: Cody, J. DeBruycker, Ellis, Grinde, Southworth, Toole.
Total 6

MOTIONS

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of LC 128. Motion carried.

Representative Peck moved HB 125 and HB 321 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative L. Nelson moved SB 158 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Agriculture, Livestock, and Irrigation. Motion carried.

Representative Driscoll moved HB 648 be taken from the Committee on Natural Resources and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Friday, February 8, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 8, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Reverend Brenda Richer. Pledge of Allegiance to the Flag.

Roll call. All members present except Feland, Forrester, Gervais, Kasten, Pavlovich, Peterson, Quilici, Thoft, Zook, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-fifth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/8/91
Correctly printed: HB 117, HB 133, HB 151, HB 158, HB 383, HB 408, HB 413, HB 414, HB 429, HB 442, HJR 8.
Correctly engrossed: HB 252, HB 268, HB 303, HB 310, HB 326, HB 347, SB 54, SB 68.
Correctly enrolled: HB 17, HB 79, HB 84.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 2/7/91

HB 76, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: line 12
Insert:

"STATEMENT OF INTENT

Because the department of revenue has rulemaking authority under 16-1-303(2)(m), a statement of intent may be necessary for [this act]. The department shall consider the rules and interpretations of the Washington Wholesaler/Supplier Equity Agreement Act, RCW 19.126.010, et seq., upon which many of the provisions of this bill are based. It is not intended that the department adopt any rule interpreting or implementing [section 3(3)], regarding the designation of sales territories for wine distributors by a winery."

2. Page 2, line 19.
Strike: "; or"
Insert: "."

3. Page 2, lines 20 through 23.
Strike: subsection (3) in its entirety

4. Page 2, line 25.
Following: "provisions."
Insert: "(1) A supplier or table wine distributor may not fail or refuse to reduce to writing an agreement of distributorship that provides for purchase of the supplier's products from the supplier by the table wine distributor."

Renumber: subsequent subsections

5. Page 2, line 25 through page 3, line 1.

Following: "must" on line 25

Strike: "be in writing and must"

6. Page 3, line 6 through line 10.

Following: "termination." on line 6

Strike: remainder of line 6 through line 10 in their entirety

Insert: "Notice of termination is void if within 60 days of the notice the table wine distributor rectifies the deficiency stated as the reason for termination and if the deficiency was not stated as reason for termination in a notice previously voided under the provisions of this subsection."

7. Page 4, line 5.

Following: line 4

Insert: "(5) If undertaken in good faith by a supplier, a supplier may terminate an agreement of distributorship for a legitimate business reason not within the definition of good cause if an arbitrator appointed by the department finds, after hearing the supplier and the table wine distributor, that the termination is in the best interest of the table wine brand concerned. Arbitration under this section must be conducted under the provisions of Title 27, chapter 5."

8. Page 5, line 6.

Following: "support"

Insert: " -- alternate supplier"

Following: "."

Insert: "(1)"

9. Page 5, line 13.

Following: line 12

Insert: "(2) The holder of an all-beverages license under chapter 4, part 2, may, upon presentation of his license or a photocopy of his license, personally obtain from any distributor's warehouse a quantity of table wine that the licensee may agree to buy and that the distributor may agree to sell."

NEW SECTION. Section 6. Applicability. Within 60 days after [the effective date of this act] or within 60 days after the conclusion of a new agreement by the parties, whichever is later, an agreement of distributorship must be reduced to writing and an exact copy of the agreement must be filed with the department as a public document and must be available to any of the parties to a dispute. Upon filing with the department, the agreement becomes subject to the provisions of [this act]."

Renumber: subsequent sections

10. Page 10, lines 7 and 10.

Strike: "6"

Insert: "7"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 2/7/91
HB 453, introduced bill, do pass. Report adopted.
SB 11, third reading copy, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 2/7/91
HB 182, introduced bill, do pass and be placed on the consent calendar.
Report adopted.
HB 295, introduced bill, do pass. Report adopted.
HB 296, introduced bill, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/7/91

SB 58, introduced by Yellowtail
SB 93, introduced by Gage
SB 128, introduced by Halligan
SB 143, introduced by Weeding

MESSAGES FROM THE GOVERNOR

STATE OF MONTANA

PROCLAMATION

WHEREAS, the President, the bi-partisan leadership of Congress, and members of the international coalition have worked together to make the correct and courageous decision to launch Operation Desert Storm; and

WHEREAS, we are united -- not as Republicans and Democrats but as Americans -- in full support of our troops and our Commander-in-Chief; and

WHEREAS, hundreds of Montanans have responded to the call to fulfill a historic mission to repel aggression, to combat the threat of Saddam Hussein's power, and to build the basis for a secure peace in the Middle East and the world; and

WHEREAS, Montanans who remain at home are expressing their support for our troops through the display of yellow ribbons, yellow banners, state and U.S. flags and various other means; and

WHEREAS, the yellow ribbons and banners signify our prayers for a safe and speedy return of all our troops, unity among nations and their people, and a hope for lasting peace when this conflict is resolved.

NOW, THEREFORE, I, STAN STEPHENS, Governor of the State of Montana, do hereby proclaim Friday, February 8, 1991 as

YELLOW RIBBON DAY

in Montana, and each and every Montanan is encouraged to wear or display a yellow ribbon in support of our troops in the Persian gulf.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 677, introduced by Benedict, McCaffree, Zook, Peck, Schye, Thomas, referred to Committee on Taxation

HB 678, introduced by Stang (by request of the Department of Highways), referred to Committee on Highways and Transportation

HB 679, introduced by Scott, Squires, McCulloch, Manning, Gould, Driscoll, Gilbert, T. Nelson, Strizich, Keller, referred to Committee on State Administration

HB 680, introduced by Lee, Cohen, Measure, R. DeBruycker, referred to Committee on Highways and Transportation

HB 681, introduced by J. Rice, Strizich, Mazurek, Benedict, B. Brown, Thomas, Harper, referred to Committee on Human Services and Aging

HB 682, introduced by J. DeBruycker, referred to Committee on Agriculture, Livestock, and Irrigation

HB 683, introduced by Simpkins, Stepler, Halligan, Wallin, Williams, Menahan, Galvin, Davis, Phillips, Driscoll, Knox, Tunby, Forrester, referred to Committee on Business and Economic Development

HB 684, introduced by Driscoll, Crippen, referred to Committee on Appropriations

HB 685, introduced by Toole, Cohen, Hansen, Lee, B. Brown, Eck, Davis, Forrester, Waterman, Yellowtail, Brooke, referred to Committee on State Administration

HB 686, introduced by Kilpatrick, Bianchi, referred to Committee on Business and Economic Development

HB 687, introduced by Madison, Lee, S. Rice, referred to Committee on State Administration

HB 688, introduced by Simpkins, referred to Committee on Business and Economic Development

HB 689, introduced by Simpkins, R. DeBruycker, referred to Committee on Education and Cultural Resources

HB 690, introduced by Harper, Russell, referred to Committee on Business and Economic Development

HB 691, introduced by Toole, Measure, Becker, Waterman, O'Keefe, J. Rice, Grady, Whalen, D. Brown, Harper, referred to Committee on Judiciary

HB 692, introduced by Gould, Kadas, Peck, referred to Committee on Business and Economic Development

HB 693, introduced by Thomas, Driscoll, Jacobson, Crippen, Cobb, Benedict, Mercer, J. Brown, Messmore, Zook, Bachini, Eck, T. Nelson, J. Rice, Grinde, Stickney, Pavlovich, B. Brown, Nathe, Blaylock, Boharski, Halligan, Mazurek, Bradley (by request of the Governor), referred to Committee on Taxation

HB 694, introduced by Toole, Fritz, Wyatt, referred to Committee on Education and Cultural Resources

HB 695, introduced by Davis, Kennedy, referred to Committee on State Administration

MOTIONS

Representative Hoffman moved HB 381 be taken from the second reading board and rereferred to the Committee on Judiciary. Motion carried.

Representative Driscoll moved consideration of HB 410 be passed for the day. Motion carried.

Representative Driscoll moved HB 676 be taken from the Committee on Judiciary and rereferred to the Committee on Human Services and Aging. Motion carried.

Representative Brooke moved consideration of HB 131 be passed for the day. Motion carried.

Representative Bradley moved HB 303 be taken from engrossing and be placed on the second reading board the thirtieth legislative day. Motion carried.

Representative Harrington moved HB 141 be taken from printing and rereferred to the Committee on Labor and Employment Relations. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kadas in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 375 - Representative Hansen moved HB 375 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gould, S. J. Hansen, H. S. Hanson, Hoffman, Kadas, Kilpatrick, Kimberley, Knox, Larson, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Barnett, Benedict, D. Brown, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Foster, Gilbert, Grady, Grinde, M. Hanson, Harrington, Hayne, J.

Johnson, R. Johnson, Kasten, Keller, Lee, Madison, L. Nelson, T. Nelson, J. Rice, Simpkins, Stepler, Swysgood, Tunby, Wallin, Wanzenried.
Total 30

Voted Absentee: Forrester, Pavlovich, Quilici, Ayes.

Excused: Feland, Gervais, Peterson, Thoft, Zook.
Total 5

Absent or not voting: Daily, McCaffree, Southworth.
Total 3

HB 389 - Representative Gould moved HB 389 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: Boharski.
Total 1

Voted Absentee: Forrester, Pavlovich, Quilici, Ayes.

Excused: Feland, Gervais, Peterson, Thoft, Zook.
Total 5

Absent or not voting: Galvin, S. J. Hansen, Harrington, Phillips, Toole.
Total 5

HB 419 - Representative Mercer moved HB 419 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang,

Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 88

Noes: Boharski, Cohen, Nisbet, Ream, Squires, Thomas, Wyatt.

Total 7

Voted Absentee: Forrester, Pavlovich, Quilici, Ayes.

Excused: Feland, Gervais, Peterson, Thoft, Zook.

Total 5

Absent or not voting: None.

Total 0

HB 431 - Representative Bardanouve moved HB 431, second reading copy, be amended as follows (amendment #1):

1. Title, line 7 through line 10.

Following: "DISTRICT;" on line 7

Strike: "TO" on line 7 through "DUTIES;" on line 10

2. Title, line 11.

Following: "SECTIONS"

Strike: "17-7-502,"

3. Title, line 11.

Following: "20-4-109"

Strike: ", "

4. Page 1, line 15 through page 3, line 6.

Strike: section 1 in its entirety

Renumber: subsequent sections

5. Page 3, line 18 through line 20.

Following: "treasurer" on line 18

Strike: "to" on line 18 through "used" on line 20

6. Page 3, lines 22 through 24.

Following: "(2)" on line 22

Strike: "for" on line 22 through "2-15-1522" on line 24

Insert: "to the credit of the state special revenue fund created in subsection (2)"

7. Page 3, line 25 through page 4, line 3.

Following: "\$3" on line 25

Strike: "to" on page 3, line 25 through "20-4-133" on page 4, line 3

Insert: "to the general fund"

8. Page 4, line 7 through line 10.

Following: "of" on line 7

Strike: "to" on line 7 through "by" on line 10

Insert: "must be used for expenses of"

9. Page 4, line 11.

Following: "~~2-15-1522~~"

Insert: "created in 2-15-1522"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Foster, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Measure, Mercer, Messmore, L. Nelson, Peck, Phillips, J. Rice, S. Rice, Simpkins, Spring, Steppler, Swysgood, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt.

Total 49

Noes: Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Galvin, Gilbert, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Menahan, T. Nelson, Nisbet, O'Keefe, Raney, Ream, Nelson, Schye, Scott, Southworth, Squires, Stang, Stickney, Toole, Mr. Speaker.

Total 40

Excused: Feland, Forrester, Gervais, Pavlovich, Peterson, Quilici, Thoft, Zook.

Total 8

Absent or not voting: Brooke, Cohen, Strizich.

Total 3

Representative Schye moved HB 431, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 91

Noes: Boharski, D. Brown, R. DeBruycker, Nisbet, Wyatt.

Total 5

Voted Absentee: Forrester, Gervais, Pavlovich, Quilici, Ayes.

Excused: Feland, Peterson, Thoft, Zook.
Total 4

Absent or not voting: None.
Total 0

HB 434 - Representative McCaffree moved HB 434 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peck, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 84

Noes: Bachini, Boharski, Cody, S. J. Hansen, L. Nelson, Nisbet, Stang, Wyatt.
Total 8

Voted Absentee: Forrester, Pavlovich, Ayes.

Excused: Feland, Gervais, Peterson, Quilici, Thoft, Zook.
Total 6

Absent or not voting: Lee, Schye.
Total 2

HB 98 - Representative Dolezal moved Senate amendments to HB 98 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 94

Noes: None.

Total 0

Voted Absentee: Forrester, Gervais, Pavlovich, Quilici, Ayes.

Excused: Feland, Peterson, Thoft, Zook.

Total 4

Absent or not voting: Lee, Stang.

Total 2

HB 63 - Representative Stang moved HB 63 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Forrester, Pavlovich, Quilici, Ayes.

Excused: Feland, Gervais, Peterson, Thoft, Zook.

Total 5

Absent or not voting: Lee.

Total 1

HB 65 - Representative Whalen moved HB 65 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe,

Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Forrester, Pavlovich, Quilici, Ayes.

Excused: Feland, Gervais, Peterson, Thoft, Zook.

Total 5

Absent or not voting: None.

Total 0

HB 83 - Representative Stang moved HB 83 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: Bachini, Peck, Southworth.

Total 3

Voted Absentee: Forrester, Pavlovich, Ayes.

Excused: Feland, Gervais, Peterson, Quilici, Thoft, Zook.

Total 6

Absent or not voting: Benedict.

Total 1

HB 87 - Representative Stang moved HB 87 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne,

Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Phillips, Raney, Ream, J. Rice, S. Rice, Simpkins, Spring, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 77

Noes: Bachini, Beck, Becker, Davis, Dowell, Driscoll, Galvin, Larson, McCarthy, Menahan, O'Keefe, Schye, Scott, Southworth, Squires.
Total 15

Voted Absentee: Forrester, Pavlovich, Ayes.

Excused: Feland, Gervais, Peterson, Quilici, Thoft, Zook.
Total 6

Absent or not voting: R. Johnson, Russell.
Total 2

HB 122 - Representative Russell moved HB 122 do pass. Motion carried as follows:

Ayes: Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Bachini, Bardanouve, Barnhart, Bergsagel, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Elliott, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Kasten, Keller, McCaffree, L. Nelson, Peck, Schye, Spring, Stepler, Swysgood.
Total 28

Voted Absentee: Forrester, Gervais, Pavlovich, Quilici, Ayes.

Excused: Feland, Peterson, Thoft, Zook.
Total 4

Absent or not voting: Simpkins.
Total 1

HB 187 - Representative Driscoll moved HB 187 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal,

Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Boharski, Cody, J. DeBruycker, L. Nelson, Spring, Stepler, Wanzenried.

Total 7

Voted Absentee: Forrester, Pavlovich, Quilici, Ayes.

Excused: Feland, Gervais, Peterson, Thoft, Zook.

Total 5

Absent or not voting: McCarthy.

Total 1

HB 232 - Representative Clark moved HB 232 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: J. DeBruycker, L. Nelson, Stepler.

Total 3

Voted Absentee: Feland, Forrester, Pavlovich, Quilici, Ayes.

Excused: Gervais, Peterson, Thoft, Zook.

Total 4

Absent or not voting: None.

Total 0

HB 241 - Representative Whalen moved HB 241 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grady, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Ellis, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, L. Nelson, T. Nelson, Phillips, Simpkins, Spring, Swysgood, Thomas, Tunby, Wallin.
Total 29

Voted Absentee: Forrester, Pavlovich, Ayes.

Excused: Feland, Gervais, Peterson, Quilici, Thoft, Zook.
Total 6

Absent or not voting: Bardanoue, Cobb, S. J. Hansen.
Total 3

HB 356 - Representative Beck moved HB 356 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 82

Noes: Gilbert, Grinde, H. S. Hanson, M. Hanson, Knox, T. Nelson, Phillips, Simpkins, Spring, Stepler, Swysgood.
Total 11

Voted Absentee: Forrester, Pavlovich, Quilici, Ayes.

Excused: Feland, Gervais, Peterson, Thoft, Zook.
Total 5

Absent or not voting: McCarthy, Peck.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kadas moved the adoption of the committee report. Report adopted. (86-6)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/8/91

Examined by the sponsor and found to be correct:

HB 17 - Ream

HB 79 - L. Nelson

HB 84 - Stang

Signed by the Speaker at 1:17 p.m., 2/8/91: HB 17, HB 79, HB 84.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/8/91

SJR 8, third reading copy, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/8/91

HB 456, introduced bill, do pass. Report adopted.

HB 472, introduced bill, be amended as follows:

1. Title, line 10.

Following: "5-7-102,"

Insert: "5-7-103,"

2. Page 5, line 25.

Following: line 24

Insert: "Section 3. Section 5-7-103, MCA, is amended to read:

"5-7-103. Licenses -- fees -- eligibility. (1) Any adult of good moral character ~~who is a citizen of the United States and~~ who is otherwise qualified under this chapter may be licensed as a lobbyist. The commissioner shall provide a license application form. The application form may be obtained in the office of the commissioner and filed therein. Upon approval of the application and receipt of the license fee of \$10 by the commissioner, a license shall be issued which entitles the licensee to practice lobbying on behalf of one or more enumerated principals. Each license shall expire on December 31 of each even-numbered year or may be terminated at the request of the lobbyist.

(2) No application may be disapproved without affording the applicant a hearing. The hearing shall be held and the decision entered within 10 days of the date of the filing of the application.

(3) The fines and license fees collected under this chapter shall be deposited in the state treasury."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

2/8/91

HB 422, introduced bill, do pass. Report adopted.

HB 446, introduced bill, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 7, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 11, 80 and 85 on February 7, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 696, introduced by J. Rice, Harper, J. Brown, Spring, Driscoll, Yellowtail, B. Brown, Messmore, Rea, Bradley, Waterman, Jacobson, Harp, Jergeson, Van Valkenburg, Mazurek, Eck, Menahan, Williams, Grady, referred to Committee on Human Services and Aging

HB 697, introduced by McCaffree, Weeding, J. Johnson, Strizich, Hoffman, Swysgood, referred to Committee on Judiciary

HB 698, introduced by Scott, referred to Committee on Business and Economic Development

HB 699, introduced by Ellison, Raney, referred to Committee on Taxation

HB 700, introduced by T. Nelson (by request of the Governor), referred to Committee on Human Services and Aging

HB 701, introduced by Driscoll, Southworth, Crippen, Rye, Towe, Pipinich, Quilici, Menahan, Jacobson, Cody, Harrington, T. Nelson, B. Brown, Kimberley, Blaylock, Burnett, Yellowtail, Anderson, Noble, Kennedy, Fritz, Hager, Bradley, McCarthy, Farrell, Weeding, Williams, Devlin, T. Beck, Bengtson, Thayer, Doherty, Harp, Gage, Nathe, McCulloch, Stickney, Whalen, Keating, R. Johnson, referred to Committee on Taxation

HB 702, introduced by Driscoll, Southworth, Crippen, Rye, Towe, Pipinich, Burnett, Quilici, Menahan, Jacobson, Cody, Harrington, T. Nelson, B. Brown, Kimberley, Blaylock, McCarthy, Yellowtail, Anderson, Noble, Kennedy, Fritz, Farrell, Hager, T. Beck, Bradley, Weeding, Williams, Devlin, Doherty, Harp, Gage, Bengtson, Thayer, Stickney, Nathe, McCulloch, R. Johnson, Whalen, Keating, referred to Committee on Taxation

HB 703, introduced by Bradley, Crippen, Thomas, Thayer, Towe, Harp, D. Brown, Halligan, Van Valkenburg, Williams, Eck, Harper, Driscoll, referred to Committee on Business and Economic Development

HJR 24, introduced by Ream, B. Brown (by request of the Revenue Oversight Committee), referred to Committee on Taxation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 286 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 94

Noes: Cody.
Total 1

Voted Absentee: Gervais, Pavlovich, Quilici, Ayes.

Excused: Feland, Forrester, Peterson, Thoft, Zook.
Total 5

Absent or not voting: None.
Total 0

HB 311 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 93

Noes: D. Brown, Whalen.
Total 2

Voted Absentee: Feland, Pavlovich, Quilici, Ayes.

Excused: Forrester, Gervais, Peterson, Thoft, Zook.
Total 5

Absent or not voting: None.
Total 0

HB 333 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stickney, Strizich, Swysgood, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Bachini, Bergsagel, Boharski, Clark, Cody, Cromley, Ellison, Gilbert, Grinde, M. Hanson, Knox, Mercer, T. Nelson, Peck, Phillips, Quilici, Scott, Spring, Stang, Stepler, Thomas, Wallin.
Total 22

Voted Absentee: Gervais, Pavlovich, Ayes; Quilici, No.

Excused: Feland, Forrester, Peterson, Thoft, Zook.
Total 5

Absent or not voting: None.
Total 0

HB 341 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 94

Noes: None.
Total 0

Voted Absentee: Pavlovich, Quilici, Ayes.

Excused: Feland, Forrester, Gervais, Peterson, Thoft, Zook.
Total 6

Absent or not voting: None.
Total 0

HB 353 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 95

Noes: Simpkins.
Total 1

Voted Absentee: Forrester, Gervais, Pavlovich, Quilici, Ayes.

Excused: Feland, Peterson, Thoft, Zook.
Total 4

Absent or not voting: None.
Total 0

HB 379 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Gervais, Grady, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCulloch, Measure, Messmore, Nisbet, O'Keefe, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Bachini, Benedict, Bergsagel, Clark, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Ellison, Foster, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Madison, McCaffree, McCarthy, Menahan, Mercer, L. Nelson, T. Nelson, Pavlovich, Peck, Phillips, Quilici, Raney, Scott, Simpkins, Spring, Stepler, Swysgood, Thomas.
Total 34

Voted Absentee: Gervais, Aye; Pavlovich, Quilici, Noes.

Excused: Feland, Forrester, Peterson, Thoft, Zook.

Total 5

Absent or not voting: None.

Total 0

SB 54 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Voted Absentee: Quilici, Aye.

Excused: Feland, Forrester, Gervais, Pavlovich, Peterson, Thoft, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 68 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: None.

Total 0

Voted Absentee: Quilici, Aye.

Excused: Feland, Forrester, Gervais, Pavlovich, Peterson, Thoft, Zook.
Total 7

Absent or not voting: None.
Total 0

HB 290 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: None.
Total 0

Voted Absentee: Quilici, Aye.

Excused: Feland, Forrester, Gervais, Pavlovich, Peterson, Thoft, Zook.
Total 7

Absent or not voting: Beck.
Total 1

HB 301 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: None.
Total 0

Voted Absentee: Quilici, Aye.

Excused: Feland, Forrester, Gervais, Pavlovich, Peterson, Thoft, Zook.
Total 7

Absent or not voting: Tunby.
Total 1

HB 427 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: None.
Total 0

Voted Absentee: Quilici, Aye.

Excused: Feland, Forrester, Gervais, Pavlovich, Peterson, Thoft, Zook.
Total 7

Absent or not voting: Beck.
Total 1

MOTIONS

Representative Driscoll moved HB 668 be taken from the Committee on Highways and Transportation and rereferred to the Committee on Judiciary. Motion carried.

Representative Peck moved HB 122 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Bachini moved HB 674 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Agriculture, Livestock, and Irrigation. Motion carried.

Representative Wallin moved the rules be suspended to allow him to be recorded as voting yes on HB 389, second reading. Motion carried.

February 8, 1991

Representative Wallin moved the rules be suspended to allow him to be recorded as voting yes on HB 427, third reading. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m, Saturday, February 9, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 9, 1991

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Cocchiarella. Pledge of Allegiance to the Flag.

Roll call. All members present except Benedict, Lee, Ream, Russell, Thoft, Thomas, Whalen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/9/91
Correctly printed: HB 76, HB 295, HB 296, HB 422, HB 446, HB 453, HB 456, HB 472.

Correctly engrossed: HB 63, HB 65, HB 83, HB 87, HB 182, HB 187, HB 232, HB 241, HB 356, HB 375, HB 389, HB 419, HB 431, HB 434.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/8/91
HB 217, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Following: "NOTIFICATION"

Strike: remainder of line 7 through "DISTRICT" on line 8

2. Page 2, line 3.

Following: "and"

Insert: "and"

3. Page 2, lines 5 through 13.

Following: "transfer"

Strike: "1" on line 5 through "comment" on line 13

4. Page 3, line 7.

Following: "transferred."

Insert: "Notice must also be delivered to the board of trustees of the school district from which the territory is to be transferred."

And, as amended, do pass. Report adopted.

HB 273, introduced bill, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman): 2/7/91
HB 304, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Strike: "CERTAIN" on line 7 through "PROPERTY" on line 8

Insert: "SURPLUS HANDGUNS"

2. Title, line 8.

Following: "PROPERTY;"

Strike: "AND"

3. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION DATE"

4. Page 1, line 15.

Strike: "obsolete and personal department property"

Insert: "surplus handguns"

5. Page 1, lines 17 and 18.

Strike: "department" on line 17 through "disposal" on line 18

Insert: "handguns are surplus"

6. Page 1, line 20.

Strike: "and"

7. Page 1, line 22.

Strike: "department property"

Insert: "surplus handguns"

8. Page 1, line 22.

Strike: "."

Insert: "; and

(4) a procedure to allow a preference to a warden for the purchase of a handgun previously used by that warden, provided that the purchase price is established by bid or equal to the appraised value of the handgun."

9. Page 2, line 1.

Strike: "certain equipment and property"

Insert: "surplus handguns"

10. Page 2, lines 2 and 3

Strike: "obsolete" on line 2 through "property" on line 3

Insert: "surplus handguns"

11. Page 2, line 6.

Strike: "property was"

Insert: "handguns were"

12. Page 3, line 6.

Strike: "equipment and property"

Insert: "surplus handguns"

13. Page 4, line 5.

Following: line 4

Insert: "NEW SECTION. Section 5. Termination. [This act] terminates October 1, 1993."

And, as amended, do pass. Report adopted.

SB 83, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/8/91

SB 85, introduced by Eck
SB 194, introduced by Towe
SB 196, introduced by T. Beck
SB 201, introduced by B. Brown
SB 230, introduced by Blaylock
SJR 9, introduced by Pinsoneault

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 704, introduced by Wanzenried, referred to Committee on Appropriations
HB 705, introduced by Galvin, B. Brown, Whalen, Southworth, Connelly, Pipinich, Fritz, Anderson, Weeding, Harper, Grady, Hockett, Bachini, Peck, Menahan, O'Keefe, Harrington, Schye, Raney, D. Brown, G. Beck, Squires, Lynch, Keating, Nathe, Harp, Halligan, Noble, Manning, J. Johnson, Ream, Daily, Driscoll, Cohen, Stang, referred to Committee on Highways and Transportation
HB 706, introduced by Cohen, Bradley, referred to Committee on Business and Economic Development
HB 707, introduced by Menahan, Pavlovich, Bardanouve, Driscoll, Galvin, Bachini, Strizich, Daily, Harrington, Kilpatrick, Larson, Toole, Gilbert, D. Brown, referred to Committee on Business and Economic Development
HB 708, introduced by Simpkins, referred to Committee on Education and Cultural Resources
HB 709, introduced by Simpkins, Bardanouve, Peck, Knox, Kasten, Cody, referred to Committee on Education and Cultural Resources
HB 710, introduced by Bradley, Harper, Driscoll, Barnhart, Waterman, J. Brown, O'Keefe, referred to Committee on Appropriations
HB 711, introduced by Connelly, Harp, Clark, J. Brown, Davis, referred to Committee on Highways and Transportation
HB 712, introduced by Squires, Driscoll, Cohen, Brooke, Becker, Southworth, Daily, Larson, referred to Committee on Labor and Employment Relations
HB 713, introduced by Knox, Grinde (by request of the Department of Institutions), referred to Committee on Human Services and Aging
HB 714, introduced by S. Rice, referred to Committee on Local Government
HB 715, introduced by Peck (by request of the Superintendent of Public Instruction), referred to Committee on Education and Cultural Resources
HB 716, introduced by Connelly, Rea, J. Brown, Grady, Cohen, Dowell, referred to Committee on Local Government

The following Senate bills were introduced, read first time, and referred to committee:

SB 58, introduced by Yellowtail (by request of the Joint Interim Subcommittee on Adult and Juvenile Detention), referred to Committee on Judiciary
SB 85, introduced by Eck (by request of the Department of Revenue), referred to Committee on Taxation

SB 93, introduced by Gage, referred to Committee on Taxation

SB 128, introduced by Halligan, Wyatt, Hoffman, Lee, Crippen, Ream, B. Brown, Cohen, Thomas, Strizich, Wallin, T. Nelson, Fritz, Eck, Keating, Bianchi, Benedict, Wanzenried, Rye, Anderson, Larson, referred to Committee on Taxation

SB 143, introduced by Weeding, Yellowtail, Steppler, McCaffree, M. Hanson, Bruski, Zook, Kasten, Tunby, referred to Committee on Education and Cultural Resources

SB 194, introduced by Towe, Pinsoneault, referred to Committee on Taxation

SB 196, introduced by T. Beck, Thoft, Brooke, Van Valkenburg, Halligan, Grady, Harp, Swysgood (by request of the Department of Institutions), referred to Committee on Judiciary

SB 201, introduced by B. Brown, referred to Committee on Local Government

SB 230, introduced by Blaylock, Clark, Swysgood, Southworth, Wanzenried, Galvin, referred to Committee on State Administration

SJR 9, introduced by Pinsoneault, Tunby, referred to Committee on Education and Cultural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 131 - Representative Brooke moved HB 131 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Benedict, Cobb, R. DeBruycker, Grinde, Kasten, Swysgood.

Total 6

Voted Absentee: Lee, Ream, Russell, Ayes; Benedict, No.

Excused: Thoft, Thomas, Whalen.
Total 3

Absent or not voting: None.
Total 0

HB 388 - Representative Stickney moved HB 388 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Barnett, Boharski, Clark, Cobb, R. DeBruycker, Feland, Kasten, Kimberley, Peterson, Phillips, Simpkins, Swysgood.
Total 12

Voted Absentee: Ream, Whalen, Ayes.

Excused: Benedict, Lee, Thoft, Thomas.
Total 4

Absent or not voting: None.
Total 0

HB 392 - Representative Hoffman moved HB 392 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Elliott, Stang.
Total 2

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: McCarthy, Simpkins, Toole.
Total 3

HB 410 - Representative Measure moved HB 410, second reading copy, be amended as follows (amendment #1):

Title, line 6.
Strike: "OR"
Insert: ", "

1. Title, line 7.
Following: "~~NEED~~"
Insert: ", OR OTHER HEALTH CARE PROFESSIONALS"

2. Page 4, line 20.
Following: "physician"
Strike: "or"
Insert: ", "

3. Page 4, line 22.
Following: "~~need~~"
Insert: ", or other physical or mental health care professionals, including chemical dependency counselors"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Gould, Grinde.
Total 2

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: None.
Total 0

February 9, 1991

Representative Cobb moved HB 410, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.

Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: None.

Total 0

HB 411 - Representative Kadas moved HB 411 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.

Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: None.

Total 0

HB 471 - Representative R. Johnson moved HB 471 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Steppler.

Total 1

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: None.

Total 0

HJR 15 - Representative Wallin moved HJR 15 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 86

Noes: Gervais, Nisbet, O'Keefe, Phillips, Swysgood.

Total 5

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: Brooke, Toole, Wyatt.

Total 3

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HB 117 - Representative J. Brown moved HB 117 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Beck, Bergsagel, Boharski, R. DeBruycker, Measure.

Total 5

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: Daily.

Total 1

HB 133 - Representative Galvin moved HB 133 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: L. Nelson, Steppler.

Total 2

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: None.

Total 0

HB 151 - Representative Stang moved HB 151 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.

Total 92

Noes: J. DeBruycker, Peck.

Total 2

Voted Absentee: Benedict, Thomas, Ayes.

Excused: Lee, Ream, Thoft, Whalen, Mr. Speaker.

Total 5

Absent or not voting: Cohen.

Total 1

HB 158 - Representative Wanzenried moved HB 158 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: None.

Total 0

HB 303 - Representative Bradley moved consideration of HB 303 be passed for the day. Motion carried.

HB 383 - Representative Raney moved HB 383 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Wyatt, Mr. Speaker.
Total 70

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, Ellis, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, Keller, McCaffree, L. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Wallin, Zook.
Total 24

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: None.
Total 0

HB 414 - Representative Cohen moved HB 414 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Wyatt, Mr. Speaker.
Total 71

Noes: Barnett, Bergsagel, Cobb, Daily, R. DeBruycker, Ellis, Feland, Forrester, Gould, Grinde, M. Hanson, Hayne, R. Johnson, L. Nelson, Pavlovich, Peterson, Quilici, Spring, Steppler, Swysgood, Wallin, Zook.
Total 22

Voted Absentee: Ream, Aye.

Excused: Benedict, Lee, Thoft, Thomas, Whalen.
Total 5

Absent or not voting: Ellison, Phillips.

Total 2

HB 429 - Representative Kasten moved HB 429 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: R. DeBruycker, Elliott, Gould.

Total 3

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: Simpkins.

Total 1

HB 442 - Representative T. Nelson moved HB 442, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 3.

Following: "BUYER"

Insert: "and the seller is regulated by the public service commission"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: None.
Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: Squires, Stepler.
Total 2

Representative D. Brown made a substitute motion that consideration of HB 442 be passed for the day. Motion carried.

HJR 8 - Representative Kadas moved HJR 8 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Voted Absentee: Ream, Aye.

Excused: Benedict, Lee, Thoft, Thomas, Whalen.
Total 5

Absent or not voting: Harrington, Mercer.
Total 2

SB 11 - Representative Driscoll moved SB 11 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins,

Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: Harrington, Pavlovich.
Total 2

SB 41 - Representative Kasten moved SB 41 be concurred in.
Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: Boharski, D. Brown, Driscoll, Harrington.
Total 4

SB 49 - Representative Bardanoue moved SB 49 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Cohen, Connelly, Driscoll, Harrington, Kadas, Measure.
Total 7

Voted Absentee: Benedict, Lee, Ayes.

Excused: Ream, Thoft, Thomas, Whalen.
Total 4

Absent or not voting: None.
Total 0

SB 70 - Representative Stang moved SB 70 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski, S. J. Hansen.
Total 2

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: Strizich.
Total 1

SB 81 - Representative Stang moved SB 81 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck,

Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: None.
Total 0

SB 140 - Representative Messmore moved SB 140 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Voted Absentee: Lee, Aye.

Excused: Benedict, Ream, Thoft, Thomas, Whalen.
Total 5

Absent or not voting: None.
Total 0

SB 150 - Representative M. Hanson moved SB 150 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison,

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McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 90

Noes: R. DeBruycker, Stang, Swysgood, Wyatt.

Total 4

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: None.

Total 0

SJR 8 - Representative Hansen moved SJR 8 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.

Total 6

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report.

Representative Driscoll made a substitute motion SB 49 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (93-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 252 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Connelly, R. DeBruycker, Gould, H. S. Hanson, McCaffree, Messmore.
Total 6

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: None.
Total 0

HB 268 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 72

Noes: Bachini, Bergsagel, Boharski, Clark, Cobb, Feland, Gilbert, Grinde, Hayne, J. Johnson, Kasten, Knox, McCaffree, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Stepler, Swysgood, Zook.
Total 22

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: None.
Total 0

HB 310 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: None.
Total 0

HB 326 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Steppler.
Total 1

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: S. J. Hansen.
Total 1

HB 347 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 84

Noes: Boharski, Brooke, J. DeBruycker, R. DeBruycker, Hayne, McCaffree, L. Nelson, Peck, Wyatt.
Total 9

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: Stepler.
Total 1

HB 98, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Benedict, Lee, Ream, Thoft, Thomas, Whalen.
Total 6

Absent or not voting: None.
Total 0

MOTIONS

Representative Driscoll moved HB 692 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 131 and HB 414 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Bachini moved HB 442 be taken from the second reading board and rereferred to the Committee on Business and Economic Development. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/9/91
Signed by the Speaker on 2/9/91: SJR 1.
Delivered to the Governor for his approval at 8:55 a.m., 2/9/91: HB 17, HB 79, HB 84.

NATURAL RESOURCES (Raney, Chairman): 2/9/91
HB 382, introduced bill, be amended as follows:

1. Title, lines 10 and 11.
Following: "REVIEW;" on line 10
Strike: remainder of line 10 through "DAMAGE;" on line 11

2. Title, line 11.
Following: "106"
Strike: ", "
Insert: "and"

3. Title, line 12.
Following: "107"
Strike: ", AND 85-15-305"

4. Page 4, line 24 through page 5, line 18.
Following: line 23
Strike: section 3 in its entirety
Renummer: subsequent sections

And, as amended, do pass. Report adopted.

HB 448, introduced bill, be amended as follows:

1. Title, lines 8 through 11.
Following: line 7
Strike: line 8 through "APPROPRIATION;" on line 11

2. Title, line 11.
Strike: "15-38-202, 17-7-502,"

3. Page 27, lines 4 and 5.

Following: "Section 9." on line 4

Strike: remainder of line 4 through "abatement" on line 5

Insert: "Abatement"

4. Page 27, lines 6 through 22.

Strike: subsections 1 and 2 in their entirety

Re-number: subsequent subsections

5. Page 28, line 2.

Following: "may"

Insert: "apply for and, if approved by the governor,"

Following: "in the"

Strike: "hard-rock"

6. Page 28, line 3.

Following: "environmental"

Strike: "emergency"

Insert: "contingency"

Following: "account"

Insert: "created in 75-1-1101"

7. Page 28, line 10.

Following: "the"

Strike: "hard-rock"

8. Page 28, line 11.

Following: "environmental"

Strike: "emergency"

Insert: "contingency"

9. Page 28, lines 12 and 13.

Following: "the" on line 12

Strike: remainder of line 12 through "fund" on line 13

Insert: "environmental contingency account"

10. Page 28, line 14 through page 32, line 18.

Strike: sections 10 and 11 in their entirety

Re-number: subsequent sections

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 717, introduced by Ellison, Weeding, Yellowtail, Pinsoneault, McCaffree, Whalen, Blaylock, Kilpatrick, referred to Committee on Appropriations

HB 718, introduced by Ream, referred to Committee on Natural Resources

HB 719, introduced by D. Brown, Pavlovich, Driscoll, Strizich, Spring, Cody, Vaughn, T. Beck, referred to Committee on Business and Economic Development

February 9, 1991

HB 720, introduced by Forrester, Dowell, referred to Committee on Highways and Transportation

HB 721, introduced by Becker, Franklin, Doherty, Yellowtail, Strizich, Williams, Bianchi, referred to Committee on Taxation

HB 722, introduced by Grady, Thoft, Steppler, Koehnke, T. Beck, Jergeson, referred to Committee on Local Government

HB 723, introduced by Phillips, Menahan, McCarthy, Keating, Pipinich, Darko, Hayne, Wyatt, Nathe, Vaughn, Waterman, Franklin, Grady, Raney, Squires, Wanzenried, referred to Committee on Highways and Transportation

HB 724, introduced by Elliott, Pipinich, Stang, Kennedy, B. Brown, Svrcek, Darko, Vaughn, Swift, Peterson, Farrell, Harp, referred to Committee on Natural Resources

HB 725, introduced by Spring, Grinde, Menahan, Pavlovich, T. Nelson, Fagg, Messmore, H.S. Hanson, Peterson, Forrester, referred to Committee on Business and Economic Development

HB 726, introduced by Bergsagel, Lynch, Thomas, Driscoll, O'Keefe, Blaylock, Nathe, Williams, Squires (by request of the Department of Labor), referred to Committee on Labor and Employment Relations

HB 727, introduced by Wyatt, Harper, Strizich, Galvin, O'Keefe, J. Brown, Dolezal, Stang, J. Rice, Driscoll, Cocchiarella, G. Beck, D. Brown, referred to Committee on State Administration

HJR 25, introduced by Whalen, Driscoll, Harrington, Southworth, Ream, Menahan, Strizich, referred to Committee on State Administration

HJR 26, introduced by Peck, Wanzenried, Hammond, Ream, Davis, Pipinich, Jergeson, Southworth, Benedict, G. Beck, Dowell, Hansen, Squires, Fritz, Measure, Cohen, Darko, Grinde, Kilpatrick, Connelly, Swysgood, Bardanouve, Hockett, Simpkins, Bachini, Bergsagel, Thoft, referred to Committee on Education and Cultural Resources

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Monday, February 11, 1991. Motion carried.

House adjourned at 10:10 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 11, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend Gary Hawk. Pledge of Allegiance to the Flag.

Roll call. All members present except Cohen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/11/91
Correctly printed: HB 217, HB 273, HB 304, HB 382, HB 448.
Correctly engrossed: HB 117, HB 133, HB 151, HB 158, HB 383, HB 388,
HB 392, HB 410, HB 411, HB 429, HB 471, HJR 8, HJR 15, SB
11, SB 41, SB 70, SB 81, SB 140, SB 150, SJR 8.
Correctly enrolled: HB 48, HB 89, HB 126, HB 181, HB 243.
Examined by the sponsor and found to be correct:
HB 48 - Grady
HB 89 - Grady
HB 126 - Simpkins
HB 181 - Larson
HB 243 - J. Brown

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/11/91
HB 54, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "PERSON" on line 6
Strike: "RESIDING IN THE COUNTY"
Following: "QUALIFICATIONS;"
Strike: "AND"
2. Title, line 8.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"
3. Page 2, line 6.
Following: "the"
Insert: "full"
4. Page 2, lines 12 and 13.
Following: "person"
Strike: remainder of line 12 through "(2)" on line 13
Insert: "who:
(A) is a qualified elector;
(B) holds a valid administrative certificate as provided in
20-4-106(1)(c);
(C) takes the oath of office in 20-1-202;
(D) is bonded in the manner provided for county officers
in Title 2, chapter 9, part 7; and
(E) attends instructional training in the duties of a county
superintendent as offered by the superintendent of public
instruction"
5. Page 2, line 15.

Following: "(b)"

Insert: "Whenever a governing body contracts with a person for performance of the duties required of a county superintendent under the provisions of subsection (3)(a)(ii), the contract must be for at least the duration of 1 school fiscal year.
(c)"

6. Page 2, line 17.

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/11/91

HB 445, introduced bill, do pass. Report adopted.

SB 66, third reading copy, be amended as follows:

1. Page 4, line 9.

Strike: "major"

2. Page 4, line 11.

Following: line 10

Strike: subsection (6) in its entirety

renumber: subsequent subsections

3. Page 5, line 4.

Strike: "emergency medicines"

Insert: "oxytocin (pitocin)"

4. Page 6, lines 4 through 6.

Following: "except"

Strike: remainder of line 4, and lines 5 and 6 in their entirety

Insert: "for whole gland thyroid, homeopathic preparations, and oxytocin (pitocin);"

5. Page 6, line 11.

Strike: "or"

6. Page 6.

Following: line 11

Insert: "(d) perform specific adjustments or manipulations of the spinal column, as provided in 37-12-101; or"

Renumber: subsequent subsection

7. Page 6, line 16.

Following: "prescribe"

Strike: the remainder of line 16 and line 17 through "37-2-104,"

8. Page 6, line 21.

Strike: "AND"

9. Page 6, line 22.

Following: "antibiotics"

Insert: ", and oxytocin (pitocin)"

10. Page 6, line 23.

Strike: "immunizations,"

11. Page 7.

Following: line 10

Insert: "(4) Except as provided by this subsection, it is unlawful for a naturopath to engage, directly or indirectly, in the dispensing of any drugs that a naturopath is authorized to prescribe by subsection (2). If the place where a naturopath maintains an office for the practice of naturopathy is more than 10 miles from a place of business that sells and dispenses the drugs a naturopath may prescribe under subsection (2), then, to the extent such drugs are not available within 10 miles of the naturopath's office, the naturopath may sell such drugs that are unavailable."

12. Page 13, line 11.

Following: "surgery"

Strike: ", natural antibiotics,"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):

HB 74, introduced bill, do pass. Report adopted.

2/8/91

HB 391, introduced bill, be amended as follows:

2/11/91

1. Page 2, line 15.

Following: "(4)"

Insert: "(a)"

Strike: "A"

Insert: "Except as provided in subsection (4)(b), a"

2. Page 2, lines 17 through 19.

Strike: "Subsection" on line 17 through "religion." on line 19

3. Page 2, line 20.

Following: line 19

Insert: "(b) A clergyperson or priest is not required to make a report under this section if:

(i) the knowledge or suspicion of the abuse or neglect came from a statement or confession made to the clergyperson or priest in his spiritual professional capacity;

(ii) canon law, church doctrine, or established church practice requires the clergyperson or priest to keep the statement or confession confidential; and

(iii) the person who made the statement or confession does not consent to the disclosure by the clergyperson or priest."

And, as amended, do pass. Report adopted.

SB 37, third reading copy, be amended as follows:

1. Title, line 20.

Following: "SERVICES;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 29, line 15.

Following: line 14

Insert: "NEW SECTION. Section 26. Appropriation. The following money is appropriated from the general fund to the board of crime control to fund state grants to counties for youth detention programs as authorized in [section 8 of Senate Bill No. 37]:

Fiscal year beginning July 1, 1991

\$ 99,639

Fiscal year beginning July 1, 1992

644,697"

Renumber: subsequent sections

3. Page 29, line 25.

Strike: "26"

Insert: "27"

And, as amended, be concurred in. Report adopted.

SB 38, third reading copy, be concurred in. Report adopted.

2/8/91

SB 39, third reading copy, be amended as follows:

2/11/91

1. Title, line 8.

Strike: "61-8-711, 61-8-716, 61-8-720,"

2. Page 1, line 19 through page 3, line 4.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

3. Page 5, lines 17 through 21.

Strike: section 9 in its entirety

And, as amended, be concurred in. Report adopted.

SB 56, third reading copy, be concurred in. Report adopted.

2/8/91

SB 57, third reading copy, be amended as follows:

2/11/91

1. Page 2, line 8.

Page 3, line 20.

Page 5, line 7.

Page 7, line 8.

Strike: "court"

Insert: "defendant"

2. Page 3, line 2.

Following: "may"

Insert: ", in the discretion of the defendant,"

And, as amended, be concurred in. Report adopted.

SB 59, third reading copy, be concurred in. Report adopted. 2/8/91
SJR 2, third reading copy, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 2/11/91
HB 450, introduced bill, be amended as follows:

1. Title, line 10.

Following: "PROVIDING FOR"

Strike: "THE"

2. Title, lines 10 and 11.

Following: "ENFORCEMENT" on line 10

Strike: "AND" through "NONCOMPLIANCE" on line 11

3. Title, line 14.

Strike: "5-7-208,"

4. Page 3 line 19 through page 6 through line 21.

Strike: sections 4 and 5 in their entirety

Renumber: subsequent sections

5. Page 10, line 9.

Strike: "Sections"

Insert: "Section"

Following: "3"

Strike: "and 4"

Strike: "are"

Insert: "is"

6. Page 10, line 11.

Strike: "sections"

Insert: "section"

Following: "3"

Strike: "and 4"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/9/91

SB 51, introduced by Van Valkenburg

SB 152, introduced by Towe

SB 160, introduced by Kennedy

SB 166, introduced by Jergeson

SB 202, introduced by Hager

SB 217, introduced by Eck

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 728, introduced by Ream, Waterman, S. Rice, Fritz, J. Brown, Squires, Wanzenried, Russell, Cocchiarella, Darko, Barnhart, Wyatt, Brooke, Hansen, Strizich, Elliott, Driscoll, Schye, Franklin, Harrington, Nisbet, O'Keefe, Becker, Williams, Koehnke, Eck, referred to Committee on Human Services and Aging

HB 729, introduced by Russell, Harper, Brooke, O'Keefe, Driscoll, Becker, Southworth, Daily, Galvin, Nisbet, Harrington, Darko, Toole, Larson, Doherty, Strizich, Cocchiarella, Dolezal, Barnhart, Menahan, Kimberley, Ream, Kadas, Bradley, Lynch, D. Brown, Whalen, Franklin, Manning, Pipinich, Yellowtail, Kennedy, McCulloch, Gervais, Wyatt, Connelly, J. Brown, referred to Committee on Labor and Employment Relations

HB 730, introduced by D. Brown, B. Brown, Lynch, Menahan, Pipinich, Connelly, Pavlovich, L. Nelson, Raney, Measure, Harper, Russell, Daily, Hammond, J. Johnson, Stimatz, Southworth, O'Keefe, Harrington, Schye, Whalen, G. Beck, Anderson, Weeding, Harp, Manning, Squires, Nathe, Yellowtail, Jacobson, Swysgood, McCarthy, Larson, Bergsagel, Bachini, Bardanouve, Cody, Cohen, Devlin, Strizich, Galvin, T. Beck, Hockett, Hoffman, Wyatt, Peck, Stickney, Driscoll, Darko, Zook, Kilpatrick, Toole, Stepler, Wanzenried, Cocchiarella, Quilici, Forrester, Halligan, Scott, Nisbet, Gervais, Hansen, Peterson, McCaffree, Becker, Madison, Tveit, Kadas, referred to Committee on Labor and Employment Relations

HB 731, introduced by Ream, Halligan, Lee, Measure, B. Brown, Cohen, Grady, referred to Committee on Natural Resources

HB 732, introduced by Cohen, referred to Committee on Natural Resources

HB 733, introduced by Pavlovich, Driscoll, Harrington, O'Keefe, Lynch, Pipinich, Larson, Hayne, Phillips, Grady, Swysgood, Quilici, Stimatz, Forrester, Dowell, Menahan, McCarthy, Grinde, H.S. Hanson, Dolezal, G. Beck, Gervais, Kilpatrick, Daily, Wanzenried, Peck, Nathe, Squires, Toole, Davis, Galvin, Bachini, Kimberley, J. DeBruycker, R. Johnson, Harper, Strizich, Cocchiarella, Nisbet, D. Brown, Bradley, Clark, Southworth, R. DeBruycker, J. Johnson, Grosfield, Connelly, Farrell, Franklin, Jacobson, Mazurek, Mercer, Cobb, Noble, Yellowtail, Kennedy, Jergeson, Hockett, Tveit, Swift, Aklestad, Hager, Blaylock, B. Brown, Rye, Scott, Koehnke, referred to Committee on Highways and Transportation

HB 734, introduced by Phillips, Harper, Swysgood, Lynch, Daily, Pipinich, Grady, Pavlovich, Gervais, Kilpatrick, Quilici, Grosfield, Driscoll, Strizich, Menahan, McCarthy, G. Beck, Swift, D. Brown, Noble, Devlin, R. DeBruycker, referred to Committee on State Administration

HB 735, introduced by Measure, Peck, Toole, Cohen, Brooke, referred to Committee on Judiciary

HB 736, introduced by Measure, Toole, Wyatt, Harper, Fritz, referred to Committee on Highways and Transportation

HB 737, introduced by Elliott, referred to Committee on State Administration

HB 738, introduced by Elliott, referred to Committee on Taxation

HB 739, introduced by J. Rice, referred to Committee on Business and Economic Development

HB 740, introduced by Grady, Mazurek, J. Brown, Phillips, referred to Committee on Business and Economic Development

HJR 27, introduced by Bachini, S. Rice, Kilpatrick, Dowell, B. Brown, Cromley, Steppler, Larson, L. Nelson, Benedict, Knox, McCulloch, Barnett, Ellis, Tunby, Wallin, H.S. Hanson, Hansen, Scott, Wyatt, Pavlovich, Galvin, Ream, Peck, J. Brown, Toole, Lee Connelly, Wanzenried, Jergeson, Blaylock, Davis, Mazurek, Cohen (by request of the House Committee on Business and Economic Development), referred to Committee on Business and Economic Development

The following Senate bills were introduced, read first time, and referred to committee:

SB 51, introduced by Van Valkenburg, referred to Committee on Judiciary

SB 152, introduced by Towe, Eck, referred to Committee on Taxation

SB 160, introduced by Kennedy, Williams, Van Valkenburg (by request of the Department of Administration), referred to Committee on Local Government

SB 166, introduced by Jergeson, Halligan, Doherty, Waterman, Franklin, Harding, Bianchi, Jacobson, Williams, Ream, referred to Committee on Local Government

SB 202, introduced by Hager, Halligan, Harrington, R. Johnson, referred to Committee on Taxation

SB 217, introduced by Eck (by request of the Department of Family Services), referred to Committee on Human Services and Aging

MOTIONS

Representative Whalen moved HB 303 be taken from the second reading board and rereferred to the Committee on Judiciary. Motion failed.

Representative Driscoll moved HB 662 be taken from the Committee on Human Services and Aging and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved consideration of SB 49 be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cocchiarella in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 303 - Representative Bradley moved HB 303, second reading copy, be amended as follows (amendment #1):

1. Title, line 12.

Following: "ENTITIES"

Strike: "PROVIDING"

Insert: "WITH LESS THAN 15,000 SUBSCRIBERS THAT PROVIDE"

2. Page 3, line 4.

Strike: "PROVIDING"

Insert: "with less than 15,000 subscribers that provides"

3. Page 3, line 9.

Following: "THE"

Insert: "acts or omissions of the"

4. Page 3, lines 10 and 11.

Strike: "ACT" on line 10 through "WILFULL, AND" on line 11

Insert: "CONSTITUTE GROSS NEGLIGENCE OR WILLFUL OR"

5. Page 3, line 11.

Following: "MISCONDUCT."

Insert: "This subsection does not provide immunity from liability in a products liability action."

6. Page 3, lines 12 through 16.

Strike: "RECKLESS" on line 12 through "RESULT" on line 16

Insert: ""subscribers" means persons, partnerships, corporations, or other entities acquiring telecommunications services from a telecommunications provider. There is one subscriber for each billed line of a telecommunications provider"

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 92

Noes: Bachini, Gervais, Measure, Peck, Scott.

Total 5

Excused: Cohen, Strizich, Mr. Speaker.

Total 3

Absent or not voting: None.

Total 0

Representative Bradley moved HB 303, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Ream, S. Rice, Schye, Simpkins, Spring, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Bachini, Becker, D. Brown, Connelly, Darko, Dolezal, Dowell, Driscoll, Gervais, S. J. Hansen, Measure, Menahan, Nisbet, O'Keefe, Peck, Raney, J. Rice, Russell, Scott, Southworth, Squires, Strizich, Toole, Wanzenried, Whalen.

Total 25

Excused: Cohen.

Total 1

Absent or not voting: None.

Total 0

HB 76 - Representative Gould moved HB 76 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cromley, Stepler.

Total 2

Excused: Cohen.

Total 1

Absent or not voting: Kadas.

Total 1

HB 295 - Representative Benedict moved HB 295 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker, McCaffree, Scott, Stepler.
Total 4

Excused: Cohen.
Total 1

Absent or not voting: Squires.
Total 1

HB 296 - Representative Benedict moved HB 296 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 95

Noes: R. DeBruycker.
Total 1

Excused: Cohen.
Total 1

Absent or not voting: Boharski, Lee, Mr. Speaker.
Total 3

HB 413 - Representative Connelly moved HB 413, second reading copy, be amended as follows (amendment #1):

1. Title, lines 8 through 10.

Following: "SURGERY" on line 8

Strike: the remainder of line 8 through "DENTURE" on line 10

Insert: "TO APPLY TISSUE CONDITIONING AGENTS"

2. Title, line 10.

Following: "37-29-306,"

Insert: "AND"

3. Title, line 11.

Strike: ", AND 37-29-403"

4. Page 5, line 13 through page 6, line 9.

Following: line 12

Strike: section 4 in its entirety

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 95

Noes: None.

Total 0

Excused: Cohen.

Total 1

Absent or not voting: Feland, Gilbert, Lee, Mr. Speaker.

Total 4

Representative Connelly moved HB 413, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S.

Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Benedict, Gilbert, Grinde, T. Nelson.

Total 4

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 422 - Representative Hoffman moved HB 422 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 446 - Representative T. Nelson moved HB 446 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster,

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Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cromley.

Total 1

Excused: None.

Total 0

Absent or not voting: Bardanouve, Feland, M. Hanson, Ream.

Total 4

HB 453 - Representative Fagg moved HB 453 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Forrester, Grinde, Kadas, Stang, Stepler.

Total 5

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 456 - Representative J. Rice moved HB 456 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,

Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 97

Noes: Boharski.
Total 1

Excused: None.
Total 0

Absent or not voting: Bardanoue, Wyatt.
Total 2

HB 472 - Representative Kadas moved consideration of HB 472 be passed for the day. Motion carried.

SB 83 - Representative Kimberley moved SB 83 be concurred in. Motion carried as follows:

Ayes: Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Cobb, Cody, Davis, J. DeBruycker, Galvin, Knox, L. Nelson, Peck, Peterson, Spring.
Total 11

Excused: None.
Total 0

Absent or not voting: Strizich.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair.

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Chairman Cocchiarella moved the adoption of the committee report. Report adopted. (98-0)

REPORTS OF STANDING COMMITTEES

Signed by the Speaker at 1:05 p.m., 2/11/91: HB 48, HB 89, HB 126, HB 181, HB 243, SB 3, SB 6.

STATE ADMINISTRATION (J. Brown, Chairman): 2/11/91
HB 404, introduced bill, do pass. Report adopted.
HB 424, introduced bill, be amended as follows:

1. Title, line 4.

Following: "THAT"

Insert: "BY JANUARY 1, 1994,"

2. Title, line 7 through line 9.

Following: "POSSIBLE" on line 7

Insert: "AND PROPORTIONALLY REPRESENT MINORITY RESIDENTS"

Strike: "PROVIDE" on line 7 through "MINORITIES" on line 9.

Insert: "REQUIRE THAT THE SECRETARY OF STATE PUBLISH
INFORMATION ON APPOINTMENTS AND OBTAIN GENDER AND
MINORITY STATUS INFORMATION FROM APPOINTEES"

3. Page 1, line 13.

Strike: "All"

Insert: "By January 1, 1994:
(a) all"

4. Page 1, line 15.

Strike: "."

Insert: "; and"

5. Page 1, line 16.

Strike: "(2) By January 1, 1994, 10% of"

Insert: "(b)"

6. Page 1, line 18.

Following: "must"

Insert: "proportionally"

7. Page 1, line 19.

Following: line 18

Insert: "(2) Pursuant to subsection (1), the secretary of state shall:

(a) publish in the Montana Administrative Register on a
monthly basis the recent appointments made by the executive
branch and the upcoming vacancies on executive boards and
commissions; and

(b) develop a questionnaire to obtain the gender and
minority status of appointees and distribute the questionnaire with
copies of the oath of office."

And, as amended, do pass. Report adopted.

HB 528, introduced bill, be amended as follows:

1. Title, line 7.

Following: "THE"

Strike: "CITING"

Insert: "SITING"

2. Title, line 16.

Strike: "TO"

Insert: "FOR THE PURPOSES OF"

3. Page 2, line 11.

Following: "facility"

Insert: ", including prerelease and community-based facilities,"

4. Page 3, line 25.

Following: "submitted"

Strike: "or to be submitted"

5. Page 4, line 5.

Following: "the"

Strike: "citing"

Insert: "siting"

6. Page 4, line 9.

Following: "specify"

Strike: "a"

Insert: "January 30, 1991, as the"

7. Page 4, lines 18 and 19.

Following: "site"

Strike: ", including" on line 18 through "expansion" on line 19

8. Page 6, line 3.

Following: "subsection (2)"

Insert: "and was received by the department no later than January 30, 1991"

9. Page 6, line 6.

Following: "site"

Insert: "provided by the local governmental unit"

10. Page 6, lines 7 and 8.

Following: "size"

Strike: ", with" on line 7 through "expansion" on line 8

11. Page 7, line 6.

Following: "persons"

Insert: ", whose selection must provide for gender balance on the committee"

12. Page 7, line 13.

Following: "governor"

Insert: ", neither of whom may be a resident of a local governmental unit submitting a proposal"

13. Page 10, line 2.

Following: "and"

Insert: "a"

Strike: "institutions"

Insert: "institution"

14. Page 12, line 20.

Following: "facility"

Insert: "and for bond issuance costs. The bonds may be issued only for a women's correctional facility"

And, as amended, do pass. Report adopted.

HB 529, introduced bill, do pass. Report adopted.

HB 599, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 741, introduced by Cromley, Mazurek, J. Rice, Measure, referred to Committee on Business and Economic Development

HB 742, introduced by Wanzenried, referred to Committee on Business and Economic Development

HB 743, introduced by Scott, Quilici, McCulloch, Cocchiarella, Driscoll, Strizich, Clark, referred to Committee on Highways and Transportation

HB 744, introduced by O'Keefe, Doherty, Measure, Raney, Kadas, Harper, Halligan, Eck, Toole, Yellowtail, referred to Committee on Natural Resources

HB 745, introduced by Swysgood, Bardanouve, Thoft, Anderson, referred to Committee on Natural Resources

HB 746, introduced by Russell, Harper, Driscoll, D. Brown, Pipinich, Cocchiarella, Jergeson, Van Valkenburg, Mazurek, Svrcek, Yellowtail, Doherty, Noble, Gage, Nathe, Harding, Blaylock, Franklin, Manning, Hockett, Mercer, Grady, Grinde, Gervais, J. Johnson, referred to Committee on Education and Cultural Resources

HB 747, introduced by Lee, referred to Committee on Judiciary

HB 748, introduced by Kadas, Driscoll, Galvin, Squires, Dolezal, Larson, referred to Committee on Business and Economic Development

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 63 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Whalen.

Total 1

HB 65 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Scott.

Total 1

HB 83 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bachini, Cody, Peck, Southworth, Squires.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 87 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bachini, Beck, Becker, Davis, Driscoll, Larson, Menahan, Peck, Schye, Scott.
Total 10

Excused: None.
Total 0

Absent or not voting: Galvin.
Total 1

HB 187 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester,

Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, J. DeBruycker, L. Nelson, Spring, Stepler, Wanzenried.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 232 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: J. DeBruycker, L. Nelson, Stepler.

Total 3

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 241 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet,

O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Ellis, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 33

Excused: None.
Total 0

Absent or not voting: Ellison.
Total 1

HB 356 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 88

Noes: Benedict, Feland, Gilbert, Knox, T. Nelson, Peterson, Simpkins, Spring, Stepler, Swysgood, Thomas, Zook.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 375 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Knox, McCarthy, McCulloch, Measure, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, S. Rice,

Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 60

Noes: Barnett, Benedict, Bergsagel, Bradley, Clark, Cobb, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Foster, Galvin, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Larson, Lee, Madison, McCaffree, Menahan, L. Nelson, T. Nelson, Peterson, J. Rice, Scott, Simpkins, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin.

Total 40

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 389 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Boharski.

Total 1

Excused: None.

Total 0

Absent or not voting: S. J. Hansen.

Total 1

HB 419 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox,

Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: Boharski.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 431 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 93

Noes: Boharski, Cody, R. DeBruycker, Galvin, Nisbet, Peterson, Wyatt.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 434 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck,

Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Bachini, Nisbet.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 11 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Ellison.
Total 1

SB 41 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice,

S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 70 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: Boharski.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 81 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Boharski.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 140 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Barnett.
Total 1

SB 150 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins,

Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: D. Brown, R. DeBruycker, Feland, Gervais, Raney, Swysgood, Thoft, Wyatt.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 8 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 182 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Driscoll moved HB 706 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Local Government. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Chris Colgan, Great Falls
Valerie Danielson, Medicine Lake
Sky Foster, Helena
Brenda Lien, Belgrade
Jon Lindgren, Helena
David Robbin, Great Falls
Jeanette Montgomery, Sidney
Anna Sparr, Columbia Falls

Representative Driscoll moved the House adjourn until 11:15 a.m., Tuesday, February 12, 1991. Motion carried.

House adjourned at 2:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 12, 1991

House Chambers
State Capitol

House convened at 11:20 a.m. Mr. Speaker in the Chair.

Roll call. All members present except Boharski, Connelly, R. DeBruycker, Lee, Thomas, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-sixth, twenty-seventh and twenty-eighth legislative days, find the same to be correct.

Menahan, Chairman

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 749, introduced by Ellison, D. Brown, Raney, Keller, referred to Committee on Natural Resources

HB 750, introduced by Cobb, referred to Committee on Taxation

HB 751, introduced by Boharski, Manning, Mercer, Dolezal, J. Rice, Darko, Hager, Clark, Pinsonault, Stang, Lee, R. Johnson, Messmore, Schye, McCaffree, Strizich, Keller, Phillips, Toole, referred to Committee on Highways and Transportation

HB 752, introduced by Toole, Measure, Bradley, Mercer, referred to Committee on Judiciary

HB 753, introduced by Harrington, Menahan, Quilici, Lynch, D. Brown, referred to Committee on Taxation

HB 754, introduced by Harrington, Menahan, Lynch, referred to Committee on Education and Cultural Resources

HB 755, introduced by Schye, Bianchi, Eck, Raney, Bradley, T. Beck, Barnhart, Wallin, Barnett, Spring, Gilbert, Menahan, referred to Committee on Appropriations

HJR 28, introduced by Schye, referred to Committee on Labor and Employment Relations

MOTIONS

Representative Ream moved consideration of HB 448 be passed for the day. Motion carried.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Regan admitted the Senate to the House chamber.

Mr. Speaker introduced President Mazurek and yielded the Chair to him.

Senator Van Valkenburg moved the body resolve itself into a joint session for the purpose of receiving the State of Education Address from the Superintendent of Public Instruction. Motion carried.

Father Eugene Peoples gave the Invocation. The Pledge of Allegiance to the Flag followed.

Senator Van Valkenburg moved President Mazurek be authorized to appoint a committee of four to notify the Superintendent of Public Instruction that we are in joint session and ready to receive the State of Education Address. Motion carried.

President Mazurek appointed Senators Blaylock and Nathe and Representatives Darko and McCulloch and discharged them to escort the Superintendent of Public Instruction into the House chamber.

Sergeant-at-Arms Carlson admitted the Superintendent of Public Instruction and the committee escorted the Superintendent to the rostrum.

After being presented to the Joint Session by President Mazurek, Nancy Keenan, Superintendent of Public Instruction, delivered the following address:

February 12, 1991

Mr. President, Mr. Speaker, members of the House and Senate, distinguished guests, my friends.

It is my honor to be in this chamber as your guest, just as it was an honor for me to be a member of the House a few years ago. Eight years ago I arrived at the Capitol full of excitement, anticipation and hope that my work as a Montana legislator would make a difference. I had those same feelings two years ago when I took my oath of office as Superintendent, the feelings of excitement, anticipation and hope. Today I am a little more seasoned, a little more patient, a little more gray, but still excited and full of hope. Experience is a good teacher. There are days, though, when I really wonder.

In fact, I am reminded of the little boy I met the day he began first grade. At noon he put on his coat, stuffed his papers in his backpack and was ready to go home. His teacher stopped him and asked, "Brian, where are you going?" He explained to her it was time to go home.

"Oh, no," she said. "You're a big boy. In first grade you get to stay all day. You eat lunch at school with your friends, and this afternoon we will work on math and spelling."

Brian turned, looked her straight in the eye, put his hands on his hips and said, "Who the hell signed me up for this?"

Like Brian, there are days when I wonder who signed me up for this. I'll bet you have days in the Capitol when you ask yourself the same question. Making decisions in the legislature is difficult. It always comes down to two issues: what is the right thing to do, and how do we pay for it?

Today I want to reflect a little about our past, and share with you my thoughts about the future, about where public education has been and where it must go.

I was impressed recently with an article by Dr. James Crupi, who reflected that leadership is generational. He explains that our first generation of leaders are those of you in your 60s, 70s, and 80s. You built our state and our communities. You were product oriented and got things done by moving quickly. The second generation, those of you too young for WWII and too old for Vietnam, lived in families traumatized by the depression who knew that every dollar earned was at risk. You are the generation of bridge builders and our finest managerial generation.

The third generation, those of us in our thirties and forties, are eager but yet to be judged. While the first generation learned that success came from working long hard hours, Crupi says the third generation believes that success is dependent on how smart we work. The fourth generation, now in their 20s, many of them in college, are just learning that the world is larger than they thought, and larger than they were taught.

The fifth generation sits in our classrooms across Montana. They are the generation that must take care of all of us. Crupi asks if we are getting them ready. The future for our children will not be business as usual. We are a world, a state, a people in transition. We are preparing children for a world difficult for us to comprehend.

Family life is changing and will continue to change. In 1950 over 60 percent of our families had a father earning a living, a mother at home, and at least two school-aged children, all under one roof. Today, only 7.2 percent of families fit that profile; 29,000 Montana children under the age of 18 live in single parent families.

When I took this job, I didn't really believe there were hundreds of homeless children in Montana. But there are. Over 600 children in Montana live in cars, shelters, buses, caves or in the street. Of these, over 200 do not attend school.

A recent study in Montana indicates that there are hungry children in a third of Montana's low-income families.

In the past 50 years we entered the atomic age, the space age, the computer age, and the information age. Life expectancy has increased by more than 15 years.

In 1935 the ratio of contributing workers to retirees was forty to one. By the year 2010, the support ratio is predicted to be one worker for every one retiree. If that one worker is a woman earning a minimum wage with no benefits, the retirement you and I expect to enjoy is not very secure.

Young workers will be retrained 10 to 13 times during their work years. All information known to humankind will double in the next 900 days. If you graduate in 1992 from Cal Tech, Georgia Tech, or Montana Tech, by 1994 fifty percent of what you have been taught will be obsolete. Eighty-five

percent of the technology we will use in the year 2000, only 9 years away, is yet to be invented.

Crupi reminds us that when our grandparents went to school they looked across the classroom and saw their competition. When my parents went to school, they knew their competition was in the school across town or just across the county line. When I went to school I was aware that I had to compete with kids in Denver and Seattle. Today, when our children go to school, they compete with kids in Germany, Taiwan, Australia, Japan, and Argentina. The competition is invisible, but it is there. How do we get them ready? What must be done, and how do we pay for it?

Telecommunications

The House has taken a first step by passing House Bill 30, the telecommunications bill. Instead of being left out of the revolution in technology that is transforming our world, Montana will be an important part of it. This technology will open doors for our elementary, secondary and university students; doors to new information, new skills, and achievements they and we only dream about.

There has been a strong financial commitment from the business community in our state, which has made the telecommunications proposal an affordable legislative package. I venture to say that without the financial support of Montana business, this critical legislation would not have been economically feasible. Montana businesses, along with our university system, recognize that lifelong learning has become the norm, not the exception. We can no longer view education in two components, that of a K-12 system and that of a university system. For us to fully meet the lifelong learning needs of Montanans, we must have an integrated educational system from kindergarten through graduate school and beyond.

The Commissioner of Higher Education and I will be working together to meet those recommendations of the Education Commission for the Nineties and Beyond, that speak to the "seamless web" between the public schools and the university system. As you deliberate on the financial needs of the Montana University System, keep in mind that they are a critical link in the educational structure. If that link is weak, the entire system is weak.

Gifted and Talented

As adults, most of our time is spent at work. The work we choose usually reflects our interests. Prior to my election, I chose to be a special education teacher. Those children continue to touch my life and my heart.

There is no doubt about it. Meeting the needs of our children with handicaps is enormously expensive. The Montana legislature has always made special education funding a priority, and I urge you to continue this commitment.

As a special education teacher I was totally consumed by my students. I knew I cared about others, but I seldom lifted my eyes to really see them.

During the past two years as Superintendent, I have gained the perspective that is sometimes only learned by distance. What has become apparent is that there are other students truly at risk.

Our gifted and talented kids are at risk. We know who they are, and they are not just the academically gifted. They are the students with the advanced vocabulary; they memorize easily and learn rapidly. They are keen observers who question critically, their questions are limitless, and they have a wide range of interests. They love experimenting; they tend to put ideas together in ways that are unusual and not obvious. They have keen senses of humor and strong senses of justice. They are children who prefer complexity, take risks, and have high expectations for themselves and others. They are not just white, upper-middle-class children. Gifted students come from all socioeconomic and ethnic backgrounds.

There are some who might believe that gifted learners will succeed in school by the sole virtue of their ability. This is a myth. What really happens is that without direction and programs these students perform at levels far below their ability and suffer from problems of anxiety, insecurity and loneliness.

We have given strong support and tremendous attention to some of our gifted students. We have made sure they have state-of-the-art equipment, access to special buildings, money to travel to important events, great student/teacher ratios, and administrative, community and family support.

Who are these gifted students? They are our gifted and talented athletes. We must do no less than provide the same opportunities for our children who are equally talented, but whose talents lie in the areas of math, science, the performing arts and in the God-given, innate ability to lead.

Foundation Program

The last ten years have been a turbulent decade for public school finance: difficult problems with no easy solutions. Last session the legislature took a significant step forward in terms of Montana's commitment to school equalization. We knew then, as we know now, that the problem was not going to be solved overnight. We know that we must press forward. We must again, this session, commit additional revenue to the foundation program.

My request for an increase of 4.5 percent the first year and 4.8 percent the second year does not even keep up with the 5.4 percent inflation rate that we experienced in 1990. I am not standing before you today asking for a 5.4 percent increase. I should be, but I recognize, as you do, the other important demands on our state's budget.

The question is: what is the right thing to do and how do we pay for it? Given the tremendous demands on our limited financial resources, I believe my reasonable request for foundation schedule increases is the right thing to do.

How do we pay for it? A little more than half of this amount can come from the general fund. That leaves about \$27 million. Where do we get it? In the 1989 special session the Montana Legislature levied 40 mills statewide on every farmer, every homeowner and every main street business to pay for school equalization. Everyone was asked to pay a fair share, except the oil, gas and coal industries in Montana. School equalization is about fairness in per-pupil expenditures. It is also about tax fairness.

Before we ask the farmer, the homeowner, or the main street business for more money to pay for inflationary costs, we must look toward the energy industry to pay its share. The dollars for the 4.5 and 4.8 percent increases are there if all taxpayers contribute their fair share.

In closing, I want to acknowledge that your work here is critical to education. I also want to acknowledge the other people whose work is so important to education: the thousands of school trustees who freely give endless hours in communities across our state; the hundreds of administrators who wrestle with budgets and ever-changing demands; the many parents whose jobs are never ending; and the thousands and thousands of teachers, who like gardeners tend not only the plants, but also the soil in which they grow. They all have my appreciation, my admiration and my respect.

Let me share with you my favorite story about a little boy who tried to trick a wise woman. He went to the wise woman and said, "What do I have behind my back?"

And the wise woman said, "You have a bird behind your back."

"Yes, but is it dead or is it alive?"

If the wise woman said the bird was dead, the boy would let it go. If the wise woman said the bird was alive, the boy would squeeze it to death. The wise woman paused, looked down at him and said, "The future of that bird is in your hands."

The children's future, this fifth generation, is in your hands. You decide. What is the right thing to do?

Carpe Diem. Seize the day.

My thanks.

Superintendent of Public Instruction, Nancy Keenan, was escorted from the House chamber by the escort committee.

Senator Van Valkenburg moved the joint session of the 52nd Legislature be adjourned. Motion carried.

Members of the Senate retired from the House chamber.

House resumed. Mr. Speaker in the Chair.

Representative Driscoll moved the House recess until 1:00 p.m. Motion carried.

House recessed at 11:50 a.m.

House reconvened at 1:00 p.m. Mr. Speaker in the Chair.

Roll call. All members present except Boharski, R. DeBruycker, Thomas, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/12/91
Correctly printed: HB 54, HB 74, HB 391, HB 404, HB 424, HB 445, HB 450, HB 528, HB 529, HB 599.
Correctly engrossed: HB 76, HB 295, HB 296, HB 303, HB 413, HB 422, HB 446, HB 453, HB 456, SB 83.
Delivered to the Governor for his approval at 2:40 p.m., 2/11/91: HB 48, HB 89, HB 126, HB 181, HB 243.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 2/11/91

SB 161, third reading copy, be concurred in. Report adopted.

SJR 7, third reading copy, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 2/7/91

HB 405, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "or"

Insert: "a policy of life insurance or group life insurance; a contract of disability insurance, except benefits payable in reimbursement for services rendered by a physician, nurse, physical therapist, occupational therapist, chiropractor, person practicing dentistry, or hospital; or"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman): 2/12/91
HB 299, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "REQUIRING"

Insert: "AUTHORIZING"

2. Page 1, line 14.

Strike: "shall"

Insert: "may"

3. Page 2, lines 9 and 10.

Strike: "the circumstances" on line 9 through "follows," on line 10
Insert: "any of the following circumstances"

4. Page 2, line 14.
Strike: "or"

5. Page 2, line 21.
Strike: "."
Insert: "; or"

6. Page 2, lines 22 and 23.
Strike: "(2) The court" on line 22 through "that" on line 23
Insert: "(d)"

Page 4, line 6.
Strike: "{3}"
Insert: "(2)"
Renumber: subsequent subsections.

And, as amended, do pass. Report adopted.

HB 488 , introduced bill, do pass. Report adopted.	2/11/91
HB 489 , introduced bill, do pass. Report adopted.	
HB 490 , introduced bill, do pass. Report adopted.	
HB 491 , introduced bill, do pass. Report adopted.	
HB 515 , introduced bill, do pass. Report adopted.	
HB 516 , introduced bill, do pass. Report adopted.	
SB 90 , third reading copy, be amended as follows:	2/12/91

1. Title, line 14.
Strike: "AND"

2. Title, line 15.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1, line 23.
Following: "that"
Insert: ", except for the administration of local anesthesia,"

4. Page 1, line 25.
Strike: "that section"
Insert: "Title 37, chapter 4,"

5. Page 2, line 14.
Strike: "authorized body"
Insert: "commission on dental accreditation or its successor"

6. Page 4, line 15.
Strike: "authorized accrediting body"
Insert: "commission on dental accreditation or its successor"

7. Page 6, line 5.

Following: "auxiliary"

Insert: "or licensed dental hygienist"

8. Page 6, line 11.

Following: "treatment"

Insert: ", except the administration of local anesthesia,"

9. Page 7, line 14.

Following: line 13

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective
July 1, 1991."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/11/91

HB 520, introduced bill, be amended as follows:

1. Page 1, line 24.

Following: "~~\$24~~"

Strike: "~~\$36~~"

Insert: "\$30"

2. Page 2, line 1.

Following: "\$3"

Strike: "~~\$5~~"

Insert: "\$4.50"

3. Page 2, line 2.

Following: "~~\$3.50~~"

Strike: "~~\$9~~"

Insert: "\$5.50"

Following: "\$8"

Strike: "~~\$13~~"

Insert: "\$11.50"

4. Page 2, line 15.

Following: "plus"

Strike: "\$4"

Insert: "\$5"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/11/91

HB 25, introduced by Cody

HB 27, introduced by Foster

HB 53, introduced by Nisbet

HB 91, introduced by Gilbert

HB 138, introduced by Peterson

HB 140, introduced by Raney

HB 163, introduced by Kasten

HB 171, introduced by Benedict
HB 175, introduced by D. Brown
HB 178, introduced by Toole
HB 194, introduced by Toole
HB 205, introduced by Davis
HB 242, introduced by Thomas
HB 244, introduced by Thomas

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 2/11/91

HB 26, introduced by Cody
HB 69, introduced by Whalen
HB 114, introduced by D. Brown

House bill not concurred in and returned to the House: 2/11/91

HB 104, introduced by J. Johnson

Senate bills passed and transmitted to the House for concurrence: 2/11/91

SB 105, introduced by Thayer
SB 114, introduced by Weeding
SB 146, introduced by Keating
SB 165, introduced by Harp
SB 168, introduced by Doherty
SB 177, introduced by Mazurek
SB 198, introduced by B. Brown
SB 215, introduced by Harp
SB 229, introduced by Fritz
SB 231, introduced by Manning
SB 244, introduced by Jergeson
SJR 12, introduced by Anderson

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 11, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bill 43 on February 11, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 756, introduced by McCaffree, Lynch, M. Hanson, Koehnke, Stepler, G. Beck (by request of the House Committee on Agriculture), referred to Committee on Agriculture, Livestock, and Irrigation

HB 757, introduced by Kadas, referred to Committee on Taxation

HB 758, introduced by Barnhart, Harper, Blaylock, referred to Committee on State Administration

HB 759, introduced by Strizich, referred to Committee on Taxation

HB 760, introduced by Kimberley, Driscoll, Gilbert, Zook, J. Rice, Grady, Scott, Harp, Jacobson, Rye, Strizich, Squires, Franklin, referred to Committee on State Administration

HB 761, introduced by Peck, T. Nelson, Kennedy, Pipinich, McCarthy, Hoffman, J. DeBruycker, Jergeson, Hockett, Manning, referred to Committee on Human Services and Aging

HB 762, introduced by Grinde, referred to Committee on Education and Cultural Resources

HB 763, introduced by Stang, referred to Committee on Highways and Transportation

HB 764, introduced by Hayne, Pavlovich, J. Johnson, Phillips, referred to Committee on Taxation

HB 765, introduced by Russell, Kimberley, J. Rice, Stickney, Spring, Yellowtail, referred to Committee on State Administration

HB 766, introduced by Fagg, referred to Committee on Judiciary

HB 767, introduced by Measure, Harp, Whalen, Lee, Yellowtail, Eck, referred to Committee on Judiciary

HB 768, introduced by Measure, Harp, Whalen, Lee, Yellowtail, Eck, referred to Committee on Judiciary

HB 769, introduced by Cocchiarella (by request of the Public Employees' Retirement Board), referred to Committee on State Administration

HB 770, introduced by Grady, Rea, Koehnke, Thoft, T. Beck, Swift, Foster, Harper, Mazurek, Waterman, referred to Committee on Agriculture, Livestock, and Irrigation

HB 771, introduced by Foster, Koehnke, Stepler, Jergeson, referred to Committee on Business and Economic Development

HB 772, introduced by J. Rice (by request of the Department of Family Services), referred to Committee on Judiciary

HB 773, introduced by Stickney, Schye, referred to Committee on Judiciary

HB 774, introduced by R. Johnson, Keating, referred to Committee on Business and Economic Development

HB 775, introduced by J. Rice, Schye referred to Committee on Appropriations

The following Senate bills were introduced, read first time, and referred to committee:

SB 105, introduced by Thayer, Wyatt, Franklin, Doherty, Cromley, Larson, Strizich, Dolezal, Messmore, Phillips, Simpkins, Swift, Manning, Rye, Noble, Grosfield, Anderson, Burnett, Stepler, Harding, Tveit, Nisbet, Bachini,

Stickney, Dowell, Hansen, Darko, S. Rice, Galvin, Clark, Cobb, J. Rice, Grady, Thomas, referred to Committee on Appropriations

SB 114, introduced by Weeding, Raney, Yellowtail, Harp, O'Keefe, Grady (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 146, introduced by Keating, referred to Committee on Human Services and Aging

SB 165, introduced by Harp (by request of the Department of State Lands), referred to Committee on Natural Resources

SB 168, introduced by Doherty, Brooke, Dolezal, Ream, referred to Committee on Human Services and Aging

SB 177, introduced by Mazurek (by request of the Department of Revenue), referred to Committee on Taxation

SB 198, introduced by B. Brown, Yellowtail, J. Rice, Strizich (by request of the Commission for Human Rights), referred to Committee on Judiciary

SB 215, introduced by Harp, Mazurek (by request of the Montana Health Facility Authority), referred to Committee on Appropriations

SB 229, introduced by Fritz, Zook (by request of the Supreme Court), referred to Committee on Appropriations

SB 231, introduced by Manning, Cocchiarella, Southworth, Galvin, J. Brown, Wanzenried, Daily, Squires, Grady, referred to Committee on State Administration

SB 244, introduced by Jergeson, Kadas, Pavlovich, Cobb, Keating, Svrcsek (by request of the Legislative Audit Committee), referred to Committee on Business and Economic Development

SJR 12, introduced by Anderson, Jergeson, Hoffman, Koehnke, T. Beck, Swysgood, referred to Committee on Agriculture, Livestock, and Irrigation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wallin in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 472 - Representative Driscoll moved HB 472, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.

Following: ";

Insert: "ADJUSTING MINIMUM REPORTABLE CONTRIBUTION AMOUNTS
BY THE INCREASE IN THE PREVIOUS YEAR'S CONSUMER PRICE
INDEX;"

2. Page 9, line 17.

Following: line 16

Insert: "(6) Beginning on July 1, 1992, and on July 1 of each succeeding year, the commissioner shall increase the dollar amounts contained in subsections (5)(b)(i), (5)(b)(ii), and (5)(c) by an amount equal to the percentage increase in the previous calendar year's

consumer price index for all urban consumers, U.S. department of labor, bureau of labor statistics, or any other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The commissioner shall adopt the new amounts by rule."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Elliott.

Total 1

Excused: Boharski, Bradley, R. DeBruycker, Grady, Hoffman, Thomas.

Total 6

Absent or not voting: J. Rice, Stepler, Wallin.

Total 3

Representative J. DeBruycker moved HB 472, as amended, do pass.

Representative Kadas made a substitute motion to revert to the body of the bill for the purpose of the amendment. Motion carried.

Representative Kadas moved HB 472, second reading copy, be further amended as follows (amendment #2):

Page 2, line 18.

Following: ":"

Insert: ":

1. Page 2, line 19.

Following: "(a)"

Insert: "(a)"

2. Page 2, line 23.

Following: "and"

Insert: "; and"

3. Page 3, line 2.

Following: "expenses"

Insert: "(b) the practice of promoting or opposing official action by any public official"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Bergsagel, Clark, Feland, Gilbert, H. S. Hanson, M. Hanson, Hayne, Kasten, T. Nelson, Simpkins, Stepler.
Total 11

Excused: Boharski, Bradley, R. DeBruycker, Hoffman, Thomas.
Total 5

Absent or not voting: Driscoll.
Total 1

Thereupon, HB 472, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bergsagel, Feland, H. S. Hanson.
Total 3

Excused: Boharski, Bradley, R. DeBruycker, Hoffman, Thomas.
Total 5

Absent or not voting: None.
Total 0

SB 49 - Representative Driscoll moved consideration of SB 49 be placed at the bottom of the second reading board. Motion carried.

HB 217 - Representative Spring moved HB 217 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 90

Noes: Ellison, Stepler.
Total 2

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: Bardanouve, Cobb, Keller, Southworth, Mr. Speaker.
Total 5

HB 273 - Representative O'Keefe moved HB 273 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Gervais, Grady, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 59

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cobb, Cody, J. DeBruycker, Ellis, Ellison, Fagg, Feland, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Tunby, Zook.
Total 37

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: Kadas.

Total 1

HB 304 - Representative Clark moved HB 304 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck.

Total 1

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 382 - Representative Swysgood moved HB 382 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Ellis.

Total 1

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: D. Brown, Driscoll, Ellison, Stang.
Total 4

SB 39 - Representative Toole moved SB 39 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzonried, Whalen, Wyatt, Mr. Speaker.
Total 94

Noes: D. Brown, Cobb, Zook.
Total 3

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: None.
Total 0

SB 57 - Representative Brooke moved SB 57 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Darko, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Messmore, Nisbet, Pavlovich, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Mr. Speaker.
Total 53

Noes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, Elliott, Ellison, Feland, Foster, Galvin, Gilbert, Grinde, M. Hanson, Hayne, Knox, Lee, McCarthy, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Raney, Scott, Spring, Tunby, Wallin, Wanzonried, Whalen, Wyatt, Zook.
Total 45

Voted Absentee: Boharski, Aye.

Excused: R. DeBruycker, Thomas.

Total 2

Absent or not voting: None.

Total 0

SB 49 - Representative Driscoll moved SB 49, third reading copy, be amended as follows (amendment #1):

1. Page 1, line 22.

Following: "not"

Strike: "less than 2 years or"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Clark, Fagg, Feland, Forrester, Gould, Hayne, Keller, Knox, Lee, T. Nelson, Peck, J. Rice, Stang, Strizich.

Total 14

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: H. S. Hanson, Mercer.

Total 2

Representative Bardanouve moved SB 49, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Cohen.
Total 1

Voted Absentee: Boharski, R. DeBruycker, Ayes.

Excused: Thomas.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Wallin moved the adoption of the committee report. Report adopted. (96-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 117 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel.
Total 1

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: O'Keefe.
Total 1

HB 133 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, Gilbert, L. Nelson, Steppler.

Total 4

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: Peck, Simpkins.

Total 2

HB 151 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: J. DeBruycker, Peck.

Total 2

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: Ream.

Total 1

HB 158 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: None.
Total 0

HB 383 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 75

Noes: Barnett, Benedict, Bergsagel, Cody, J. DeBruycker, Ellis, Feland, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, McCaffree, L. Nelson, Peterson, Simpkins, Spring, Steppler, Swysgood, Thoft, Wallin, Zook.
Total 22

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: None.
Total 0

HB 388 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Boharski, Clark, Cobb, Feland, Gilbert, Hayne, R. Johnson, Kasten, T. Nelson, Peterson, Spring, Swysgood, Thoft.
Total 13

Voted Absentee: Boharski, No.

Excused: R. DeBruycker, Thomas.
Total 2

Absent or not voting: None.
Total 0

HB 392 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Elliott, Stang.
Total 2

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: None.
Total 0

HB 410 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Boharski, Aye.

Excused: R. DeBruycker, Thomas.

Total 2

Absent or not voting: Forrester.

Total 1

HB 411 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: None.

Total 0

HB 429 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Gould, Menahan.

Total 2

Voted Absentee: Boharski, Aye.

Excused: R. DeBruycker, Thomas.

Total 2

Absent or not voting: None.

Total 0

HB 471 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Steppler.

Total 1

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: Swysgood.

Total 1

HJR 8 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Spring.
Total 1

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: Kadas.
Total 1

HJR 15 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Brooke, Cody, Elliott, Nisbet, Phillips, Raney, Swysgood.
Total 7

Excused: Boharski, R. DeBruycker, Thomas.
Total 3

Absent or not voting: None.
Total 0

SB 83 concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,

Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bachini, Bardanouve, Cobb, Cody, Davis, Knox, Peck, Peterson.

Total 8

Excused: Boharski, R. DeBruycker, Thomas.

Total 3

Absent or not voting: Bradley.

Total 1

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/12/91

HB 378, introduced bill, be amended as follows:

1. Page 2, lines 12 and 13.

Following: the first "or" on line 12

Strike: remainder of line 12 through "to" on line 13

2. Page 3, line 8.

Following: "sale"

Insert: ", purchase,"

3. Page 3, line 11.

Following: "a"

Insert: "civil"

4. Page 3, line 24.

Strike: "criminal"

Insert: "civil"

And, as amended, do pass. Report adopted.

HB 479, introduced bill, be amended as follows:

1. Page 3, lines 5 through 16.

Following: "assistance" on line 5

Strike: remainder of line 5 through "investment" on line 16

Insert: ". The rules must recognize that different criteria may be needed for nonprofit corporations than for for-profit corporations"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/12/91

HB 377, introduced bill, be amended as follows:

1. Page 4, line 8.

Following: ""Megalandfill""

Insert: "or "facility""

2. Page 4, line 10.

Following: "waste"

Insert: "or any ash monofill that accepts 35,000 tons or more a year of solid waste incinerator ash, either fly ash or bottom ash"

3. Page 8, line 17.

Following: "environmental"

Insert: ", social, and economic"

4. Page 9, line 17.

Following: "environmental"

Strike: "impact"

Insert: ", social, and economic impacts"

5. Page 12, line 21.

Strike: "benefits"

Insert: "changes"

6. Page 12, line 2.

Following: "Environmental"

Insert: ", social, and economic"

7. Page 12, line 6.

Strike: "environmental"

8. Page 13, line 23.

Strike: "and"

9. Page 13, line 25.

Following: "industries;"

Insert: "and

(m) the economic impact on the local area, local government infrastructure, and existing industry;"

10. Page 14, lines 20 and 25.

Following: ";

Strike: "and"

11. Page 15, line 2.

Following: "waste"

Strike: "."

Insert: "; and

(d) inspection practices for preventing the illegal dumping of hazardous waste into the facility;

(8) transportation practices, including:

(a) route and mode of transporting waste;

(b) environmental, social, and economic impacts of transportation facilities; and

(c) transfer facilities."

12. Page 18, line 17.

Strike: "part 1,"

13. Page 19, line 22.

Following: "environmental"

Strike: "impact"

Insert: ", social, and economic impacts"

And, as amended, do pass. Report adopted.

HB 551, introduced bill, do pass. Report adopted.

SB 139, third reading copy, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/12/91

HB 288, introduced bill, be amended as follows:

1. Title, line 6.

Following: "WITH"

Strike: "25"

Insert: "24"

2. Page 1, line 15.

Strike: "25"

Insert: "24"

3. Page 1, line 19.

Following: "after"

Strike: "25"

Insert: "24"

4. Page 1, line 21.

Following: "excess of"

Strike: "25"

Insert: "24"

And, as amended, do pass. Report adopted.

HB 695, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

TAXATION (Harrington, Chairman):

2/12/91

HB 77, second reading copy, be amended as follows:

1. Title, lines 8 and 9.

Following: "SYSTEM;"

Strike: the remainder of line 8 through "PREMIUMS;" on line 9

Following: "APPROPRIATING" on line 9.

Insert: "A PORTION OF THE PREMIUM TAX ON MOTOR VEHICLE
PROPERTY AND CASUALTY INSURANCE POLICIES"

Title, line 9.

Strike: "THE TAX INCREASE"

2. Title, line 10.

Following: "SECTIONS"

Strike: "15-31-101,"

3. Title, line 11.

Following: "19-6-404,"

Insert: "AND"

Following: "19-6-502,"

Strike: "AND 33-2-705,"

4. Page 2, line 9.

Following: "[section"

Strike: "6"

Insert: "5"

5. Page 3, lines 15 and 16.

Following: "policies"

Strike: the remainder of line 15 through "33-2-705(3)"

6. Page 3, line 20.

Following: "equal to"

Strike: "26.75%"

Insert: "37.69%"

7. Page 4, lines 4 and 5.

Following: "(2)"

Strike: remainder of line 4 through "the" on line 5

Insert: "The"

8. Page 4, lines 6 through 8.

Following: line 5

Strike: line 6 through "33-2-705(3)" on line 8

Insert: "an amount equal to 10.97% of salaries from a portion of the
premium tax on motor vehicle property and casualty insurance
policies"

9. Page 4, line 17 through page 7, line 19.

Strike: section 5 in its entirety

Renumber: subsequent sections

10. Page 7, line 23.

Following: "the"

Strike: "additional"

11. Page 7, line 24.

Following: "risks"

Strike: the remainder of line 24 through "33-2-705(3)"

12. Page 8, line 4 through page 9, line 16.

Strike: section 7 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 334, introduced bill, be amended as follows:

1. Title, line 9.

Title, line 11.

Strike: "DAYS"

Insert: "MONTHS"

2. Title, lines 10 and 11.

Strike: "A PERIOD SHORTER THAN"

3. Title, line 13.

Following: "STATE;"

Insert: "EXPANDING THE DEFINITION OF LIVESTOCK TO INCLUDE
LLAMAS, DOMESTIC BISON, AND DOMESTIC UNGULATES;"

Following: "SECTIONS"

Insert: "15-24-921,"

Following: "15-24-922"

Insert: ", "

4. Page 2, line 3.

Page 2, line 8.

Page 2, line 9.

Page 2, line 15.

Page 3, line 2.

Page 3, line 4.

Strike: "days"

Insert: "months"

5. Page 2, lines 17 through 20.

Strike: "ratio" on line 17 through "due" on line 20

Insert: "difference between the original prorated amount paid and the
subsequent amount owed after the actual number of tax situs
months are determined at the end of the tax year"

6. Page 3, line 5.

Following: line 4

Insert: "Section 2. Section 15-24-921, MCA, is amended to read:

"15-24-921. Per capita tax levy to pay expenses of
enforcing livestock laws. (1) In addition to appropriations made for
such purposes, a per capita tax is hereby authorized and directed
to be levied by the county assessor on all poultry and bees, all
swine 3 months of age or older, and all other livestock 9 months of
age or older in each county of this state for the purpose of aiding

in the payment of the salaries and all expenses connected with the enforcement of the livestock laws of the state and for the payment of bounties on wild animals as hereinafter specified.

(2) As used in this section, "livestock" means cattle, sheep, swine, poultry, bees, goats, horses, mules, ~~and asses, llamas, domestic bison, and domestic ungulates.~~""

Renumber: subsequent sections

7. Page 3, line 21.

Page 3, line 23.

Page 3, line 24.

Strike: "days"

Insert: "months"

8. Page 3, line 23.

Following: "livestock"

Insert: "do not"

9. Page 4, line 12.

Following: "livestock"

Strike: "assessed on the average inventory basis"

10. Page 4, line 13.

Strike: "taxed"

Insert: "each year"

11. Page 4, line 19.

Following: "livestock"

Strike: "assessed on the average inventory basis"

Strike: "taxed"

Insert: "each year"

And, as amended, do pass. Report adopted.

HB 513, introduced bill, be amended as follows:

1. Title, lines 4 through 6.

Following: "ACT"

Strike: "REVISING" on line 4 through "PAID;" on line 6

2. Title, line 7.

Following: "REFUND"

Strike: "ON"

Insert: "OF CERTAIN"

3. Title, line 8.

Strike: "ILLEGALLY COLLECTED OR ON DUPLICATE TAXES PAID"

4. Title, line 13.

Following: "DATE"

Insert: "AND A RETROACTIVE APPLICABILITY DATE"

5. Page 1, line 18.

Following: "taxpayer"

Strike: "is"

Insert: "may be"

6. Page 2, line 4.

Following: "treasurer"

Strike: "shall"

Insert: "may"

7. Page 2, line 13.

Following: "may"

Strike: "shall"

Insert: "may"

8. Page 4, line 8.

Following: "on"

Strike: "January"

Insert: "October"

9. Page 4, line 16.

Following: "following"

Strike: "January"

Insert: "October"

10. Page 4, line 22.

Following: line 21

Insert: "(6) The board of county commissioners shall refund any tax, penalty, or interest collected as a result of an error in the description or location of real property or improvements as determined by the department of revenue. The refund is subject to the provisions of subsections (4) and (5).

(7) The board of county commissioners shall refund any net or gross proceeds tax, penalty, or interest when the department of revenue notifies the board that an overpayment occurred. The department shall determine the amount of overpayment. The refund is subject to the provisions of subsections (4) and (5), but no refund may be granted for any taxes paid more than 5 years prior to the date the claim was received."

Renumber: subsequent subsections

11. Page 5, line 9.

Following: "date"

Insert: "-- applicability"

12. Page 5, line 10.

Following: "approval"

Insert: "and applies retroactively, within the meaning of 1-2-109, to taxes paid for the 1990 tax year"

And, as amended, do pass. Report adopted.

HB 481, introduced bill, do pass. Report adopted.

February 12, 1991

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 776, introduced by Bergsagel, Larson, Mercer, Stang, referred to Committee on Business and Economic Development

MOTIONS

Representative Driscoll moved HB 528 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 273 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 314: Becker, Fritz, Kimberley, J. Rice.

The following sponsor was added to HB 448: Koehnke.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Wednesday, February 13, 1991. Motion carried.

House adjourned at 2:35 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 13, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Lee, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the twenty-ninth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/13/91
Correctly printed: HB 77, HB 288, HB 299, HB 334, HB 377, HB 378, HB 405, HB 479, HB 481, HB 488, HB 489, HB 490, HB 491, HB 513, HB 515, HB 516, HB 520, HB 551.
Correctly engrossed: HB 217, HB 304, HB 382, HB 472, HB 695, SB 39, SB 49, SB 57.

APPROPRIATIONS (Bardanoue, Chairman): 2/13/91
HB 648, introduced bill, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/13/91
HB 29, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "PROHIBITING"

Insert: "RESTRICTING"

2. Title, line 5.

Strike: "REFLECTIVE OR DARKENING"

Insert: "TINTING OR SUNSCREENING"

3. Page 1, line 11.

Strike: "darkening of side or rear windows prohibited"

Insert: "window tinting and sunscreening -- restrictions -- exemptions"

4. Page 1, lines 19 through 21.

Following: "windshield" on line 19

Strike: remainder of line 19 through "vehicle" on line 21.

5. Page 1, line 24.

Strike: "A"

Insert: "Except as provided in subsection (6), a"

6. Page 1, line 24 through page 2, line 2.

Following: "vehicle" on line 24

Strike: remainder of line 24 through "vehicle." on page 2, line 2

Insert: "that is required to be registered in this state upon a highway if:

(a) the windows are tinted so that the driver's clear view through the side or rear windows is reduced or the ability to see into the motor vehicle is substantially impaired;

(b) the front side windows have any sunscreening or other transparent material that has a luminous reflectance of more than 35% or has light transmission of less than 35%;

(c) the rear window or side windows behind the front seat have sunscreening or other transparent material that has a luminous reflectance of more than 35% or has light transmission of less than 20%, except for the rear window or side windows behind the front seat on a multipurpose vehicle, van, or bus; or

(d) the windows of a camper, motor home, pickup cover, slide-in camper, or other motor vehicle do not meet the standards for safety glazing material specified by federal law in 49 CFR 571.205.

(5) As used in [sections 2 and 3] and this section, the following definitions apply:

(a) "Camper" means a structure designed to be mounted in the cargo area of a truck or attached to an incomplete vehicle for the purpose of providing shelter for persons.

(b) "Glass-plastic glazing material" means a laminate of one or more layers of glass and one or more layers of plastic in which a plastic surface of the glazing faces inward when the glazing is installed in a vehicle.

(c) "Light transmission" means the ratio of the amount of total light, expressed in percentages, that is allowed to pass through the sunscreening or transparent material to the amount of total light falling on the motor vehicle window.

(d) "Luminous reflectance" means the ratio of the amount of total light, expressed in percentages, that is reflected outward by the sunscreening or transparent material to the amount of total light falling on the motor vehicle window.

(e) "Motor home" means a multipurpose passenger vehicle that provides living accommodations.

(f) "Multipurpose vehicle" means a motor vehicle designed to carry 10 or fewer passengers that is constructed on a truck chassis or with special features for occasional off-road use.

(g) "Pickup cover" means a camper having a roof and sides but without a floor designed to be mounted on and removable from the cargo area of a pickup truck by the user.

(h) "Slide-in camper" means a camper having a roof, floor, and sides designed to be mounted on and removable from the cargo area of a truck by the user.

(i) "Sunscreening material" means a film, material, tint, or device applied to motor vehicle windows for the purpose of reducing the effects of the sun.

(6) Subsection (4) does not apply to a vehicle that is equipped with tinted windows of the type and specifications that were installed by the manufacturer of the vehicle or to any hearse, ambulance, government vehicle, or any other vehicle to which a currently valid certificate of waiver is affixed as specified under [section 2]. A certificate of waiver must be issued by the department for a vehicle that is registered in this state on [the

effective date of this act] and is equipped with a sunscreening device or other material prohibited under subsection (4) on [the effective date of this act].

NEW SECTION. Section 2. Window tinting and sunscreening -- waiver -- conditions. The highway patrol or a local law enforcement agency may grant a waiver of the standards of 61-9-405(4) for reasons of safety or security or for medical reasons based on an affidavit signed by a licensed physician. The waiver must be in writing and must include the vehicle identification number, registration number, or other description to clearly identify the motor vehicle to which the waiver applies and the date issued, the name of the owner of the vehicle, the reason for granting the waiver, the dates the waiver is effective, and the signature of the head of the law enforcement agency granting the waiver. The agency shall keep a copy of the waiver until the waiver expires.

NEW SECTION. Section 3. Window tinting and sunscreening -- penalty. (1) A person who owns or operates a motor vehicle in violation of 61-9-405(4) is guilty of a misdemeanor and is punishable as provided in 46-18-212.

(2) A person who applies a sunscreening material or a glass-plastic glazing material in a manner that results in a motor vehicle having a window that violates the requirements of 61-9-405(4) is guilty of a misdemeanor and is punishable as provided in 46-18-212.

NEW SECTION. Section 4. Codification instruction. [Sections 2 and 3] are intended to be codified as an integral part of Title 61, chapter 9, part 4, and the provisions of Title 61, chapter 9, part 4, apply to [sections 2 and 3]."

And, as amended, do pass. Report adopted.

HB 47, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "TO PROHIBIT"

Insert: "RESTRICTING"

2. Title, line 5.

Strike: "REFLECTIVE OR DARKENING"

Insert: "TINTING OR SUNSCREENING"

3. Page 1, line 12.

Strike: "darkening prohibited"

Insert: "window tinting and sunscreening -- restrictions -- exemptions"

4. Page 1, line 18.

Strike: "A"

Insert: "Except as provided in subsection (6), a"

5. Page 1, lines 18 through 21.

Following: "vehicle" on line 18

Strike: remainder of line 18 through "vehicle." on line 21

Insert: "that is required to be registered in this state upon a highway if:

(a) the windows are tinted so that the driver's clear view through the windshield or side windows is reduced or the ability to see into the motor vehicle is substantially impaired;

(b) the windshield has any sunscreening material that is not clear and transparent below the AS-1 line or if it has a sunscreening material that is red, yellow, or amber in color above the AS-1 line;

(c) the front side windows have any sunscreening or other transparent material that has a luminous reflectance of more than 35% or has light transmission of less than 35%;

(d) the side windows behind the front seat have sunscreening or other transparent material that has a luminous reflectance of more than 35% or has light transmission of less than 20%, except for the side windows behind the front seat on a multipurpose vehicle, van, or bus; or

(e) the windows of a camper, motor home, pickup cover, slide-in camper, or other motor vehicle do not meet the standards for safety glazing material specified by federal law in 49 CFR 571.205."

6. Page 1, line 24 through page 2, line 1.

Following: "windshield" on line 24

Strike: remainder of line 24 through "vehicle" on page 2, line 1

7. Page 2, line 4.

Following: line 3

Insert: "(5) As used in [sections 2 and 3] and this section, the following definitions apply:

(a) "AS-1 line" means a line extending from the letters AS-1, found on most motor vehicle windshields, running parallel to the top of the windshield or a line 5 inches below and parallel to the top of the windshield, whichever is closer to the top of the windshield.

(b) "Camper" means a structure designed to be mounted in the cargo area of a truck or attached to an incomplete vehicle for the purpose of providing shelter for persons.

(c) "Glass-plastic glazing material" means a laminate of one or more layers of glass and one or more layers of plastic in which a plastic surface of the glazing faces inward when the glazing is installed in a vehicle.

(d) "Light transmission" means the ratio of the amount of total light, expressed in percentages, that is allowed to pass through the sunscreening or transparent material to the amount of total light falling on the motor vehicle window.

(e) "Luminous reflectance" means the ratio of the amount of total light, expressed in percentages, that is reflected outward by the sunscreening or transparent material to the amount of total light falling on the motor vehicle window.

(f) "Motor home" means a multipurpose passenger vehicle that provides living accommodations.

(g) "Multipurpose vehicle" means a motor vehicle designed to carry 10 or fewer passengers that is constructed on a truck chassis or with special features for occasional off-road use.

(h) "Pickup cover" means a camper having a roof and sides but without a floor designed to be mounted on and removable from the cargo area of a pickup truck by the user.

(i) "Slide-in camper" means a camper having a roof, floor, and sides designed to be mounted on and removable from the cargo area of a truck by the user.

(j) "Sunscreening material" means a film, material, tint, or device applied to motor vehicle windows for the purpose of reducing the effects of the sun.

(6) Subsection (2) does not apply to a vehicle that is equipped with tinted windows of the type and specifications that were installed by the manufacturer of the vehicle or to any hearse, ambulance, government vehicle, or any other vehicle to which a currently valid certificate of waiver is affixed as specified under [section 2]. A certificate of waiver must be issued by the department for a vehicle that is registered in this state on [the effective date of this act] and is equipped with a sunscreening device or other material prohibited under subsection (2) on [the effective date of this act].

NEW SECTION. Section 2. Window tinting and sunscreening -- waiver -- conditions. The highway patrol or a local law enforcement agency may grant a waiver of the standards of 61-9-405(2) for reasons of safety or security or for medical reasons based on an affidavit signed by a licensed physician. The waiver must be in writing and must include the vehicle identification number, registration number, or other description to clearly identify the motor vehicle to which the waiver applies and the date issued, the name of the owner of the vehicle, the reason for granting the waiver, the dates the waiver is effective, and the signature of the head of the law enforcement agency granting the waiver. The agency shall keep a copy of the waiver until the waiver expires.

NEW SECTION. Section 3. Window tinting and sunscreening -- penalty. (1) A person who owns or operates a motor vehicle in violation of 61-9-405(2) is guilty of a misdemeanor and is punishable as provided in 46-18-212.

(2) A person who applies a sunscreening material or a glass-plastic glazing material in a manner that results in a motor vehicle having a window that violates the requirements of 61-9-405(2) is guilty of a misdemeanor and is punishable as provided in 46-18-212.

NEW SECTION. Section 4. Codification instruction. [Sections 2 and 3] are intended to be codified as an integral part of Title 61, chapter 9, part 4, and the provisions of Title 61, chapter 9, part 4, apply to [sections 2 and 3]."

And, as amended, do pass. Report adopted.

HB 263, introduced bill, be amended as follows:

1. Title, line 5 through line 8.

Strike: "ESTABLISH" on line 5 through "AUTHORITY" on line 8.

Insert: "CLARIFY THE PUBLIC SERVICE COMMISSION'S AUTHORITY TO
REGULATE THE TRANSPORTATION OF RECYCLABLES"

2. Title, line 9.

Strike: "69-12-205, AND"

Following: "69-12-301,"

Insert: "69-12-302, AND 69-12-406,"

3. Page 1, line 10.

Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill in order to provide guidance to the public service commission in adopting rules. It is the intention of the legislature that a Class D motor carrier have the authority to collect and transport source-separated recyclables and that Class C motor carriers have the authority to transport recyclables."

4. Page 3, line 3 through page 5, line 19.

Strike: Sections 2, 3, 4, and 5 in their entirety.

Insert: "Section 2. Section 69-12-302, MCA, is amended to read:

"69-12-302. Conditions resulting in Class C carrier considered as Class B carrier. (1) A Class C motor carrier operating with more than six contracts which are in effect at any given time and each of which are effective for a minimum of 180 days is considered to be operating as a Class B motor carrier. Before transportation service may commence, pertinent contract information shall be furnished to the commission for each contract on forms prescribed by the commission. The commission shall retain a duplicate of the information in its files, and a copy of the form, confirmed by the commission, must be kept in the cab of the motor carrier when operating under that contract.

(2) All Class C motor carriers must annually submit to the commission the names and addresses of all persons, corporations, or other legal entities with whom the Class C carrier has executed a contract, charter, agreement, or undertaking for the distribution, delivery, or collection of wares, merchandise, or commodities or for transporting persons.

(3) The provisions of this section shall not apply to solid waste contractors, transportation of recyclables, household goods carriers, or house movers, as defined by the department of public service regulation, or any carrier whose authority is limited to the pickup and delivery of property and is confined by certificate to transportation within a distance of 50 miles or less from a particular location. Any carrier whose property authority is incidental to the transportation of persons is not included in the exemption under this subsection."

Section 3. Section 69-12-301, MCA, is amended to read:
"69-12-301. Classification of motor carriers. (1) Motor carriers are hereby divided into four classes to be known as:

- (a) Class A motor carriers;
- (b) Class B motor carriers;
- (c) Class C motor carriers;
- (d) Class D motor carriers.

(2) Class A motor carriers shall embrace all motor carriers operating between fixed termini or over a regular route and under regular rates or charges, based upon either station-to-station rates or upon a mileage rate or scale.

(3) Class B motor carriers shall embrace all motor carriers operating under regular rates or charges based upon either station-to-station rates or upon a mileage rate or scale and not between fixed termini or over a regular route.

(4) Class C motor carriers shall embrace all motor carriers operating motor vehicles for distributing, delivering, or collecting wares, merchandise, or commodities or transporting persons, where the remuneration is fixed in and the transportation service furnished under a contract, charter, agreement, or undertaking.

(5) Class D motor carriers embraces all motor carriers operating motor vehicles transporting (including pickup and disposal) ashes, trash, waste, refuse, rubbish, garbage, and organic and inorganic matter, and recyclables."

Section 4. Section 69-12-406, MCA, is amended to read:
"69-12-406. Restriction on transportation of certain waste. Except as provided in 69-12-324, no Class A, B, or C carrier will be authorized or permitted to transport ashes, trash, waste, refuse, rubbish, garbage, or organic and inorganic matter within the state. This restriction does not apply to recyclables."

And, as amended, do pass. Report adopted.

HB 306, introduced bill, be amended as follows:

1. Title, line 5.

Following: "LIMITS"

Insert: "IN AREAS NEAR SCHOOLS"

2. Title, lines 5 through 10.

Following: ";" on line 5

Strike: remainder of line 5 through "AREAS;" on line 10

3. Title, lines 10 and 11.

Following: "AMENDING" on line 10

Strike: remainder of line 10 through first "AND" on line 11

Insert: "SECTION"

4. Page 1, line 15 through page 3, line 4.

Strike: section 1 in its entirety

Renumber: subsequent sections

5. Page 3, line 9.

Following: "investigation"

Insert: "on the basis of an engineering and traffic investigation"

6. Page 3, line 16.

Strike: "or"

7. Page 3, line 18.

Strike: "."

Insert: "; or

(d) decreases the limit in an area near a school to not less than 80% of the speed limit that would be set on the basis of an engineering and traffic investigation."

8. Page 4, line 13.

Following: line 12

Insert: "(5) Except as provided in subsection (1)(d), the commission has exclusive jurisdiction to set special speed limits on all federal-aid highways or extensions thereof in all municipalities or urban areas. The commission shall set these limits in accordance with 61-8-309."

And, as amended, do pass. Report adopted.

HB 425, introduced bill, do pass. Report adopted.

HJR 12, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

2/13/91

HB 428, introduced bill, do pass. Report adopted.

HB 467, introduced bill, be amended as follows:

2/12/91

1. Page 1, line 9.

Strike: "railroad"

Insert: "train"

2. Page 1, line 10.

Following: "person"

Insert: "not authorized to carry a weapon in the course of his official duties"

Following: "to"

Insert: "knowingly or purposely"

3. Page 1, line 11.

Following: "a"

Strike: "railroad car,"

Following: "train"

Strike: ", or locomotive"

4. Page 1, line 12.

Strike: "of a railroad"

5. Page 1, line 14.

Strike: "railroad car,"

Following: "train"

Strike: ", or locomotive"

6. Page 1, line 19.

Strike: "railroad"

Insert: "train"

7. Page 1, line 20.

Following: "a"

Strike: "railroad car,"

Following: "train"

Strike: ", or locomotive"

Insert: "in this state"

8. Page 1, line 20.

Following: "he is"

Insert: "knowingly or purposely"

9. Page 1, lines 21 and 22.

Strike: "form of railroad transportation"

Insert: "train"

10. Page 1, line 24.

Strike: "railroad"

Insert: "train"

11. Page 1, line 25 through page 2, line 1.

Following: "a" on line 25

Strike: "railroad" on line 25 through "months" on line 1

Insert: "train in this state is subject to the penalties provided in 45-9-102"

And, as amended, do pass. Report adopted.

HB 635, introduced bill, do pass. Report adopted.

2/13/91

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 2/13/91

HB 305, introduced bill, be amended as follows:

1. Title, line 12.

Following: "39-51-1109,"

Insert: "AND"

2. Title, line 13.

Following: line 12

Strike: "39-71-204, AND 39-72-612,"

3. Page 2, lines 7 through 12.

Following: "court" on line 7

Strike: remainder of line 7 through "transcript" on line 12

4. Page 2, line 13.

Following: "{4}"

Strike: "The"

Insert: "Except for transcripts, the"

5. Page 4, line 14 through page 6, line 8.

Strike: sections 5 and 6 in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 336, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "THE" on line 5 through "RETAIN" on line 6

Insert: "PAYMENT TO AN EMPLOYEE OF"

2. Title, line 7.

Following: "DUE;"

Insert: "REQUIRING AN EMPLOYER TO PAY THE EMPLOYEE
ANNUALIZED INTEREST ON UNPAID WAGES;"

3. Page 1, line 19.

Following: "Any"

Insert: "(1)"

4. Page 1, line 23.

Following: "shall"

Strike: "must"

Insert: "may"

5. Page 1, line 25.

Following: "the"

Strike: "department"

Insert: "employee"

6. Page 2, line 1.

Following: "amount"

Strike: "equal to 5%"

Insert: "not to exceed 100%"

7. Page 2, line 4.

Following: "due"

Insert: ", but not less than the wages due plus interest payment required
in subsection (2)"

8. Page 2, lines 5 through 7.

Following: "sueh" on line 5

Strike: remainder of line 5 through "due" on line 7

Insert: "(2) The employer shall also pay the employee annualized interest
on the unpaid wages from the date the wages were due. The
interest must be calculated by the department and compounded
annually, but the annualized rate may not exceed 2 percentage
points a year above the prime rate of major New York banks on the
date of settlement."

9. Page 5, lines 9 and 10.

Following: "wages" on line 9

Strike: ", "

Insert: "or"

Following: "taxes"

Strike: remainder of line 9 through "premiums" on line 10

And, as amended, do pass. Report adopted.

HB 342, introduced bill, be amended as follows:

1. Title, line 8.

Following: "CONSTRUCTION"

Strike: "TRADE"

Insert: "INDUSTRY"

2. Page 3, lines 7 through 14.

Following: "Construction"

Strike: remainder of line 7 through "masonry" on line 14

Insert: "industry" means the major group of general contractors and operative builders, heavy construction (other than building construction) contractors, and special trade contractors, listed in major groups 15 through 17 in the 1987 Standard Industrial Classification Manual."

3. Page 7, line 8.

Following: line 7

Strike: "trade"

Insert: "industry"

4. Page 7, lines 11 and 12.

Following: "employment"

Strike: remainder of line 11 through "trade," on line 12

Insert: ", in a position other than a construction industry,"

5. Page 8, line 20.

Following: line 19

Insert: "(l) cosmetologist's services and barber's services as defined in 39-51-204(1)(l)."

6. Page 9, lines 1 and 2.

Following: "but"

Strike: remainder of line 1 through "services," on line 2

7. Page 9, line 4.

Following: "himself"

Insert: "unless he is contracting for construction industry services"

8. Page 10, line 7; page 11, line 25; and page 12, line 12.

Following: "construction"

Strike: "trade"

Insert: "industry"

9. Page 17, line 24; page 18, lines 2, 14, and 22.

Following: "construction"

Strike: "trade"
Insert: "industry"

And, as amended, do pass. Report adopted.

HJR 13, introduced bill, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 2/12/91

HB 230, introduced bill, do pass. Report adopted.

HB 367, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/12/91

SB 190, introduced by Weeding

SB 199, introduced by B. Brown

SB 254, introduced by Keating

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 777, introduced by Quilici, Driscoll, D. Brown, Mercer, Forrester (by request of the Department of Natural Resources and Conservation), referred to Committee on Appropriations

HB 778, introduced by D. Brown, Bianchi, Raney, Strizich, Lynch, Cohen, Driscoll, Darko, Menahan, Harper, Stang, McCulloch, Scott, Squires, Manning, Doherty, Svrcek, Daily, Franklin, Jacobson, Van Valkenburg, Pavlovich, McCarthy, Quilici, Ream, Wyatt, J. Brown, Connelly, Harrington, referred to Committee on Natural Resources

HB 779, introduced by Cromley, Mercer, Toole, Benedict, referred to Committee on Business and Economic Development

HB 780, introduced by Pavlovich, Daily, Whalen, J. Rice, Squires, Cocchiarella, J. Brown, Messmore, D. Brown, Menahan, McCarthy, Quilici, Darko, Driscoll, Harrington, J. DeBruycker, Connelly, referred to Committee on Human Services and Aging

HB 781, introduced by Kimberley, Driscoll, Becker, Toole, Southworth, Dowell, Mazurek, R. Johnson, Menahan, O'Keefe, Harper, Lynch, Kadas, Whalen, Darko, Bradley, Cohen, Mercer, Crippen, Keating (by request of the Department of Health and Environmental Sciences), referred to Committee on Taxation

HB 782, introduced by Hansen, Franklin, Larson, Kimberley, Stickney, Russell, G. Beck, Gervais, S. Rice, O'Keefe, Brooke, Whalen, Becker (by request of the Department of Health and Environmental Sciences), referred to Committee on Business and Economic Development

HB 783, introduced by Fagg, Halligan, referred to Committee on Judiciary

HB 784, introduced by O'Keefe, Thomas, referred to Committee on State Administration

HB 785, introduced by Messmore, Stickney, Cobb, Jacobson, Squires, Driscoll (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

HB 786, introduced by Quilici, Menahan, Harrington, referred to Committee on State Administration

HB 787, introduced by Quilici, Menahan, Harrington, referred to Committee on Taxation

HB 788, introduced by Schye, Eck, Cohen, Stickney, Darko, Fritz, Strizich, Brooke, Driscoll, Yellowtail, Becker, Weeding, Farrell, Waterman, Manning, Doherty, J. Brown, Ream, Barnhart, Van Valkenburg, Dowell, Hansen, Russell, Connelly, Harper, referred to Committee on Judiciary

HB 789, introduced by Measure, Cromley, Strizich, Wyatt, referred to Committee on Judiciary

HB 790, introduced by Messmore, S. Rice, Thomas, Thayer, Franklin, J. Rice, T. Nelson, Feland, Mercer, Lee, Peterson, Fagg Cobb, Gilbert, Foster, Kasten, Tunby, Stickney (by request of the Governor), referred to Committee on Taxation

HB 791, introduced by Benedict, referred to Committee on Local Government

HB 792, introduced by Dolezal, Nisbet, Schye, S. Rice, Stickney, Strizich, Cocchiarella, Driscoll, Daily, D. Brown, G. Beck, Whalen, referred to Committee on Education and Cultural Resources

HB 793, introduced by M. Hanson, Weeding, referred to Committee on Taxation

HB 794, introduced by McCulloch, Harp, referred to Committee on State Administration

HB 795, introduced by Harper, Towe, Cromley, Raney, Strizich, Darko, Van Valkenburg, Becker, Driscoll, Mazurek, J. Brown, Jacobson, Squires, Southworth, Dolezal, G. Beck, Daily, J. DeBruycker, Schye, Bardanouve, Forrester, Wanzenried, Toole, referred to Committee on Business and Economic Development

HB 796, introduced by G. Beck, Hansen, Whalen, referred to Committee on Taxation

HB 797, introduced by Russell, Harper, D. Brown, Driscoll, Darko, Gervais, Strizich, Schye, Whalen, Kimberley, Raney, Doherty, Yellowtail, Franklin, Bianchi, Halligan, Ream, Cobb, Van Valkenburg, Nathe, Mazurek, J. Rice, Fagg, referred to Committee on Judiciary

The following Senate bills were introduced, read first time, and referred to committee:

SB 190, introduced by Weeding, Whalen, Yellowtail, Driscoll, O'Keefe, Grady, Measure, Bruski, Svrcek, Rea, Doherty, Halligan, referred to Committee on Business and Economic Development

SB 199, introduced by B. Brown, Yellowtail, J. Rice, Strizich (by request of the Commission for Human Rights), referred to Committee on Judiciary

SB 254, introduced by Keating, referred to Committee on Human Services and Aging

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cody in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 448 - Representative Ream moved consideration of HB 448 be passed for the day. Motion carried.

HB 54 - Representative L. Nelson moved HB 54, second reading copy, be amended as follows (amendment #1):

Page 2, line 15.

Following: ".¹"

Strike: "or"

1. Page 2, line 16.

Following: line 15

Insert: "(ii) a former county superintendent; or"

Renumber: subsequent subsections

Page 3, line 7.

Strike: "(3)(A)(II)"

Insert: "(3)(a)(iii)"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Lee.

Total 1

Absent or not voting: Pavlovich.

Total 1

Representative L. Nelson moved HB 54, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Daily, J. Johnson, Pavlovich, Raney, Schye.

Total 5

Excused: Lee.

Total 1

Absent or not voting: None.

Total 0

HB 391 - Representative Darko moved HB 391 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Barnett, Benedict, Bergsagel, Boharski, Fagg, Feland, Gilbert, Gould, Kasten, T. Nelson, Peterson, Simpkins, Thoft, Zook.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 404 - Representative Grinde moved HB 404 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 81

Noes: Bachini, Cocchiarella, Davis, J. DeBruycker, Elliott, Galvin, Gervais, Kimberley, Measure, Peck, Raney, Ream, Russell, Squires, Stepler, Whalen, Wyatt.

Total 17

Excused: None.

Total 0

Absent or not voting: Feland, S. J. Hansen.

Total 2

HB 424 - Representative Simpkins moved HB 424, second reading copy, be amended (amendment #1). Amendment #1 failed. (41-58)

Representative Stickney moved HB 424, second reading copy, be amended as follows (amendment #2):

1. Title, lines 12 and 13.

Strike: "BY" on line 12 through "1994," on line 13

2. Title, lines 14 and 15.

Strike: "TO" on line 14 through "POSSIBLE" on line 14

3. Title, line 16.

Following: "RESIDENTS"

Insert: "TO THE GREATEST EXTENT POSSIBLE"

4. Page 1, line 24.

Following: "AH"

Strike: "BY JANUARY 1, 1994"

Insert: "As vacancies occur and appointments are made, appointments to"

5. Page 2, line 3.

Following: "the"

Strike: "total"

6. Page 2, line 6.

Following: "Montana"

Insert: "to the greatest extent possible"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Benedict, Boharski, R. DeBruycker, Gilbert, T. Nelson, Steppler, Tunby.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Stickney moved HB 424, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 61

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 445 - Representative J. Rice moved HB 445 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Benedict, Boharski, Cobb, J. DeBruycker, Gould, Phillips, Wallin.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 450 - Representative Harper moved HB 450, second reading copy, be amended as follows (amendment #1):

1. Title, line 15.

Following: "5-7-208,"

Insert: "5-7-208,"

2. Page 6, line 23.

Following: line 22

Insert: "Section 4. Section 5-7-208, MCA, is amended to read:

"5-7-208. Principals to file ~~accountings~~ report. (1) A principal subject to this chapter shall file with the commissioner an ~~accounting~~ a report of payments made for the purpose of lobbying.

(2) If such payments are made solely to influence legislative action, ~~such accounting~~ a report shall be made:

(a) before February 16th of any year the legislature is in session and shall include all payments made in that calendar year prior to February 1;

(b) before the 16th day of the calendar month following any calendar month in which the principal spent \$5,000 or more

and shall include all payments made during the prior calendar month; and

(c) within 60 days following adjournment of such session and shall include all payments made during such session, except as has previously been reported.

(3) If such payments are made to influence any other official action by a public official or made to influence such other action and legislative action, ~~such accounting a report~~ shall be made:

(a) before February 16th of the calendar year following such payments and shall include all payments made during the prior calendar year; and

(b) before the 16th day of the calendar month following any calendar month in which the principal spent \$5,000 or more and shall include all payments made during the prior calendar month.

(4) If no such payments are made during the reporting periods provided in subsections (2)(a), (2)(c), and (3)(a) above, the principal shall file a report stating such.

(5) Each ~~accounting~~ report filed under this section shall:

(a) list all payments for lobbying in each of the following categories:

(i) printing;

(ii) advertising, including production costs;

(iii) postage;

(iv) travel expenses;

(v) salaries and fees, including allowances, rewards, and contingency fees;

(vi) entertainment, including all foods and refreshments;

(vii) telephone and telegraph; and

(viii) other office expenses;

(b) itemize, identifying the payee and the beneficiary:

(i) each separate payment conferring \$25 or more benefit to any public official when the payment was made for the purpose of lobbying; and

(ii) each separate payment conferring \$100 or more benefit to more than one public official, regardless of individual benefit when the payment was made for the purpose of lobbying, except that in regard to a dinner or other function to which all senators or all representatives have been invited, the beneficiary may be listed as all members of that group without listing separately each person who attended;

(c) list each contribution and membership fee which amounts to \$250 or more when aggregated over the period of 1 calendar year paid to the principal for the purpose of lobbying, with the full address of each payer and the issue area, if any, for which such payment was earmarked;

(d) list each official action which the principal or his agents exerted a major effort to support, oppose, or modify, together with a statement of the principal's position for or against such action; and

(e) be kept by the commissioner for a period of 10 years.""

Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Boharski, Harrington, Lee, S. Rice.

Total 4

Representative Harper moved HB 450, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Boharski.

Total 1

HB 529 - Representative Feland moved HB 529 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 91

Noes: Brooke, Cohen, Grady, Measure, Raney, Thoft.

Total 6

Excused: None.

Total 0

Absent or not voting: Galvin, Lee, Wyatt.

Total 3

HB 599 - Representative Mercer moved HB 599 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 66 - Representative Squires moved SB 66, third reading copy, be amended as follows (amendment #1):

1. Page 7, line 6.

Strike: "x-ray, electrocardiogram,"

Amendment #1 passed as follows:

Ayes: Bachini, Bardonouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: J. Brown, Kadas, Kilpatrick, McCarthy, Menahan, S. Rice, Russell, Strizich, Tunby, Whalen.

Total 10

Excused: None.

Total 0

Absent or not voting: Ream.

Total 1

Representative Whalen moved SB 66, third reading copy, be further amended as follows (amendment #2):

1. Strike the following House Committee on Human Services amendments, dated February 11, 1991:

5. Page 6, line 11.

Strike: "or"

6. Page 6.

Following: line 11

Insert: "(d) perform specific adjustments or manipulations of the spinal column, as defined in 37-12-101; or"

Re-number: subsequent subsections

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, J. DeBruycker, Dolezal, Dowell, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Stepler, Swysgood, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Bergsagel, Boharski, Cobb, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Knox, Lee, Measure, Messmore, T. Nelson, Nisbet, Peck, Peterson, Phillips, J. Rice, Schye, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Tunby.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Bradley moved SB 66, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Stang, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 69

Noes: Bachini, Becker, Bergsagel, Boharski, Cobb, Cohen, Connelly, Cromley, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Kasten, Knox, Lee, McCarthy, Measure, Messmore, Nisbet, Peck, Phillips, J. Rice, Simpkins, Squires, Stepler, Stickney, Toole.
Total 30

Excused: None.
Total 0

Absent or not voting: Harrington.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cody moved the adoption of the committee report. Report adopted. (89-9)

REPORTS OF STANDING COMMITTEES

JUDICIARY (Strizich, Chairman):

2/13/91

HB 610, introduced bill, be amended as follows:

1. Page 2, line 5.

Insert:

"STATEMENT OF INTENT

A statement of intent is necessary for this bill because [section 8] grants the public service commission general rulemaking authority and [section 6] grants the commission authority to adopt rules relating to the appropriate scope of promotions, rebates, and market trials. The legislature intends that if rules are adopted by the commission, the rules should permit reasonable flexibility to providers of regulated telecommunications services in the marketing of their services."

2. Page 3, line 22.

Following: "interest;"

Strike: "and"

Insert: "(f) will enhance economic development in the state;

(g) will result in the improvement of the telephone infrastructure in the state; and"

Renumber: subsequent subsection

3. Page 4, line 9.

Following: "regulation"

Insert: "or the consumer counsel may object to the proposed order"

4. Page 4, line 10.

Following: "withdrawn"

Insert: "or the consumer counsel objects to the proposed order"

Strike: ";

Insert: ";

5. Page 5, line 9.

Following: "state."

Insert: "For a service detariffed under this subsection, the provider shall maintain a current price list on file with the commission and shall provide notice of changes in the price list as prescribed by the commission."

6. Page 5, lines 15 and 16.

Strike: lines 15 and 16 in their entirety

Renumber: subsequent subsections

7. Page 6, line 17.

Following: "[2]"

Insert: "(c)"

8. Page 6, line 18.

Following: "to"

Strike: "the"

Insert: "any"

9. Page 6, line 20.

Following: "interest."

Strike: "Carrier"

Insert: "Noncompetitive local exchange access to end-users and carrier"

10. Page 6, lines 21 and 22.

Strike: "Services" on line 21 through end of line 22

11. Page 7, line 3.

Following: "discounts."

Insert: "discounts in promotional offerings, or"

12. Page 7, lines 4 and 5.

Following: "manner" on line 4

Strike: remainder of line 4 through "offerings" on line 5

13. Page 7, lines 13 through 16.

Strike: subsection (7) in its entirety

14. Page 8, line 25.

Following: "customer"

Insert: "or potential customer"

15. Page 9, line 4.

Following: "the commission"

Strike: "shall"

Insert: "may"

16. Page 9, line 11.

Following: "tariffs"

Insert: "or price lists"

Following: "file"

Strike: "and approved by"

Insert: "with"

17. Page 9, line 17.

Following: "Thereafter,"

Insert: "for the term of the contract,"

18. Page 9, line 20.

Following: "tariffs"

Insert: "or price lists"

Following: "file"

Strike: "and approved by"

Insert: "with"

19. Page 9, line 25.

Following: "provide"

Strike: "the commission with"

Following: "notice"

Insert: ", in the form prescribed by the commission,"

20. Page 10, lines 1 through 3.

Strike: "at least" on line 1 through "provide" on line 3

Insert: ". The notice must include"

21. Page 10, line 3.

Following: "service"

Insert: ", a minimum price,"

22. Page 10, lines 4 through 9.

Strike: "If the" on line 4 through "service." on line 9

Insert: "At the end of a 10-day comment period for interested parties, the commission may immediately approve, suspend, or disapprove the new service offering or it may allow the interim introduction of the service pending a hearing at a later date."

23. Page 10, line 10.

Following: "of"

Strike: "14"

Insert: "30"

Following: "days"

Insert: "following issuance of notice"

24. Page 10, lines 12 and 13.

Strike: ", " on line 12 through "costs" on line 13

25. Page 10, lines 16 and 17.

Following: "public." on line 16

Strike: the remainder of lines 16 and 17

26. Page 10, line 18.

Following: line 17

Insert: "(3) For purposes of this section, "new service" means any service that is introduced separately or in combination with other services and that is not functionally required to provide local exchange service or that is not a repackaged current service or a direct replacement for a regulated telecommunications service."

Renumber: subsequent subsection

27. Page 10, lines 23 through 25.

Following: "hearing." on line 23

Strike: the remainder of lines 23 through 25

28. Page 12, line 4.

Following: "offer"

Insert: ", for a limited period of time,"

29. Page 12, lines 7 through 10.

Following: "practices." on line 7

Strike: the remainder of line 7 through "cost-effective." on line 10.

Insert: "Promotional pricing of services that remain fully tariffed requires advance approval of the commission. No promotional offering may combine monopoly services with competitive services."

30. Page 12, line 12.

Following: "complaints."

Insert: "The commission may determine whether a particular sales activity under this subsection is unfairly discriminatory or is not cost-effective. Costs and expenses incurred or revenue foregone with respect to sales activities that the commission determines are unfairly discriminatory or not cost-effective are the responsibility of the provider's shareholders in rates set by the commission."

31. Page 12, line 18.

Following: line 17

Insert: "NEW SECTION. Section 7. Costs for services provided -- jurisdiction over complaints. (1) Prices charged for a regulated telecommunications service must be above relevant costs unless otherwise ordered by the commission. If the commission determines that a price is below relevant costs, it may ensure that shareholders and not ratepayers are responsible for any relevant costs not recovered through prices.

(2) With regard to competitive services, the term "relevant costs" includes the price for any components that are used by the telecommunications provider and that would be essential for alternative providers to use in providing the competitive services pursuant to commission-approved methodology.

(3) The commission has jurisdiction to consider complaints and initiate investigations to determine whether the price charged by a provider of regulated telecommunications service is above relevant costs. The commission may also consider complaints that a pricing or promotional practice violates any provision of this title.

NEW SECTION. Section 8. Rulemaking authority. The commission may adopt rules to implement this part."

Renumber: subsequent sections

32. Page 12, line 25.

Following: line 24

Insert: "(1)"

Following: "2"

Strike: "and"

Insert: ", "

Following: "5"

Insert: ", and 7"

33. Page 13, line 3.

Following: "2"

Strike: "and"

Insert: ", "

Following: "5"

Insert: ", and 7"

34. Page 13, line 4

Following: line 3

Insert: "(2) [Section 8] is intended to be codified as an integral part of Title 69, chapter 3, part 3, and the provisions of Title 69, chapter 3, part 3, apply to [section 8]."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):
HB 354, introduced bill, be amended as follows:

2/13/91

1. Title, line 5.
Following: "LEVY"
Strike: "1 MILL"
Insert: "UP TO 2 MILLS"

2. Page 1, line 20.
Following: "of"
Strike: "1 mill"
Insert: "up to 2 mills"

And, as amended, do pass. Report adopted.

HJR 11, introduced bill, be amended as follows:

1. Page 2, line 12.
Following: "Interior"
Insert: ", "

2. Page 2, line 13.
Strike: "and"
Following: "Management"
Insert: ", the Western Interstate Region of the National Association of Counties, and the Western Office of the Council of State Governments"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 798, introduced by Quilici, Gage, Pavlovich, Brooke, Mercer, D. Brown, Strizich, Fritz, J. Rice, Halligan, Zook, Peterson, Menahan, Jacobson, Daily, Stimatz (by request of the House Appropriations Committee), referred to Committee on Appropriations

HB 799, introduced by Wallin, Nathe, Swysgood, Spring, Hayne, Knox, T. Beck, Tveit, Keller, R. DeBruycker, Clark, referred to Committee on Natural Resources

HB 800, introduced by Swysgood, referred to Committee on Education and Cultural Resources

HB 801, introduced by Menahan, Harrington, McCarthy, referred to Committee on Taxation

HB 802, introduced by Menahan, Harrington, McCarthy, referred to Committee on Taxation

HB 803, introduced by Menahan, Harrington, McCarthy, referred to Committee on Labor and Employment Relations

HB 804, introduced by Menahan, Harrington, McCarthy, referred to Committee on Labor and Employment Relations

HB 805, introduced by Menahan, referred to Committee on Fish and Game

HB 806, introduced by Spring, Jergeson, T. Beck, referred to Committee on Taxation

HB 807, introduced by R. Johnson, Driscoll, referred to Committee on Labor and Employment Relations

HB 808, introduced by Elliott, referred to Committee on Fish and Game

HB 809, introduced by Peterson, Spring, Grinde, Vaughn, Cody (by request of the Department of Justice), referred to Committee on Taxation

HB 810, introduced by Swysgood, Thoft, referred to Committee on Judiciary

HB 811, introduced by Menahan, referred to Committee on Business and Economic Development

HB 812, introduced by Wanzenried, Harp, Driscoll, Williams, referred to Committee on Labor and Employment Relations

HB 813, introduced by O'Keefe, Thoft, McCarthy, McCaffree, Cobb, referred to Committee on Local Government

HB 814, introduced by Thoft, Bardanouve (by request of the Department of Natural Resources and Conservation), referred to Committee on Agriculture, Livestock, and Irrigation

HB 815, introduced by Lee, Halligan, Gilbert, Measure, Cohen, Spring, Boharski, Harper, Raney, referred to Committee on Natural Resources

HB 816, introduced by Harrington, referred to Committee on Business and Economic Development

HJR 29, introduced by Squires, Driscoll, Larson, Cocchiarella, Darko, Wanzenried, Toole, Kadas, Peterson, Hansen, Swysgood, Harper, Cobb (by request of the House Labor and Employee Relations Committee), referred to Committee on Labor and Employment Relations

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 76 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cromley, Stepler.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 295 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: J. DeBruycker, R. DeBruycker, McCaffree, Scott, Stepler.

Total 5

Excused: None.

Total 0

Absent or not voting: Forrester.

Total 1

HB 296 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,

Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cohen, R. DeBruycker, Peck.
Total 3

Excused: None.
Total 0

Absent or not voting: Kadas.
Total 1

HB 303 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Becker, D. Brown, Cohen, Connelly, Darko, Driscoll, S. J. Hansen, Measure, Raney, Russell, Scott, Toole, Whalen.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 413 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Benedict, Gilbert, McCaffree.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 422 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: S. J. Hansen.
Total 1

HB 446 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cromley, Elliott, Gervais, Measure.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 453 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Elliott, Stang, Steppler.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 456 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Boharski.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 39 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 96

Noes: R. DeBruycker, Forrester, Zook.
Total 3

Excused: None.
Total 0

Absent or not voting: Wallin.
Total 1

SB 49 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich,

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Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cohen.

Total 1

Excused: None.

Total 0

Absent or not voting: T. Nelson, S. Rice.

Total 2

SB 57 concurred in as follows:

Ayes: Bardanouve, Barnett, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Messmore, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Mr. Speaker.

Total 66

Noes: Bachini, Barnhart, Beck, Benedict, Bradley, Clark, Cobb, Cromley, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellison, Feland, Foster, Grinde, H. S. Hanson, Hayne, Knox, Lee, Measure, Menahan, Mercer, L. Nelson, O'Keefe, Peck, Peterson, Scott, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Driscoll moved HB 520 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 299 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

Representative Bachini moved HB 771 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Agriculture, Livestock, and Irrigation. Motion carried.

Representative Ream moved HB 718 be changed to reflect Representative Elliott as chief sponsor. Motion carried.

Representative Ream moved Senator Koehnke be added as a sponsor on HB 448. Motion carried.

Representative Bradley moved she be allowed to change her vote on SB 57, third reading, from yes to no. Motion carried.

Representative Driscoll moved HB 786 be taken from the Committee on State Administration and rereferred to the Committee on Appropriations. Motion carried.

Representative Connelly moved she be allowed to change her vote on SB 66, Amendment #2, second reading, from yes to no. Motion carried.

REPORTS OF STANDING COMMITTEES

FISH AND GAME (Elliott, Chairman):

2/13/91

HB 359, introduced bill, be amended as follows:

1. Title, line 5.

Following: "OF"

Insert: "MOTOR VEHICLES OR"

Following: "VEHICLES"

Strike: "BETWEEN"

Insert: "BELOW"

2. Title, line 6.

Strike: "MARKS"

Insert: "MARK"

Following: "ON"

Strike: "PUBLIC"

Insert: "CERTAIN STATE OR FEDERAL"

Following: "PROVIDING"

Strike: "AN"

3. Title, line 7.

Strike: "EXCEPTION"

Insert: "EXCEPTIONS"

4. Page 1, line 10.

Following: "of"

Insert: "motor vehicle or"

5. Page 1, line 11.

Strike: "between"

Insert: "below"

Strike: "marks"

Insert: "mark"

Following: "on"

Strike: "public"

Insert: "certain state or federal"

6. Page 1, line 12.

Strike: "exception"

Insert: "exceptions"
Strike: "subsection"
Insert: "subsections"
Following: "(2)"
Insert: "and (3)"

7. Page 1, line 13.
Following: "operate"
Insert: "a motor vehicle, as defined in 61-1-102, or"

8. Page 1, line 14.
Strike: "between"
Insert: "below"
Strike: "marks"
Insert: "mark"

9. Page 1, line 15.
Following: "23-2-301,"
Insert: "of class I or class II waters, as defined in 23-2-301,"
Strike: "public"
Insert: "state or federal"
Following: "lands"
Insert: "or below the ordinary high-water mark of class I waters flowing through private lands, within that portion of the streambed that is covered with water"

10. Page 1, line 16.
Strike: "An"
Insert: "A motor vehicle or an"
Strike: "between"
Insert: "below"

11. Page 1, line 17.
Strike: "marks"
Insert: "mark"
Strike: "public"
Insert: "state or federal"
Strike: "a"
Insert: "an established"
Following: "road"
Insert: "or trail"
Following: "that"
Insert: "enters or"

12. Page 1, line 19.
Following: "shortest"
Insert: "practical or designated"
Following: "road"
Insert: "or trail"

13. Page 1, line 20.
Following: line 19

Insert: "(3) The prohibition in subsection (1) does not apply to:

(a) off-highway or motor vehicle use that occurs on state or federal land that is designated for off-highway or motor vehicle use below the ordinary high-water mark if the use is in accordance with the requirements of the authorization;

(b) off-highway or motor vehicle use conducted on state or federal land pursuant to and in accordance with a specific written authorization from the appropriate land management agency for that use below the ordinary high-water mark; and

(c) operation of an off-highway vehicle by a nonambulatory person who is using the vehicle for recreational use, as defined in 23-2-301, as long as operation of the vehicle is prudent and minimizes destruction.

(4) The state may authorize the use of a motor vehicle or off-highway vehicle on state property below the ordinary high-water mark only when the state has determined that the use will have a minimal impact on the streambed and on the fish and wildlife ecology of the stream or river. Federal land management agencies are requested to apply the same criteria when authorizing use of federal land."

And, as amended, do pass. Report adopted.

HB 390, introduced bill, be amended as follows:

1. Title, line 8.

Following: "DUTIES;"

Insert: "URGING THE STATE AND THE NATIONAL PARK SERVICE TO ENTER INTO AN AGREEMENT FOR THE LONG-TERM MANAGEMENT OF THE YELLOWSTONE NATIONAL PARK HERD; REQUIRING A REPORT ON THE PROGRESS OF BISON MANAGEMENT TO THE 53RD LEGISLATURE;"

2. Page 6, line 25.

Following: line 24

Insert: "(4) The department of fish, wildlife, and parks and the department of livestock are strongly urged to enter into an agreement with the national park service for the long-term management of the Yellowstone national park herd. The department of fish, wildlife, and parks and the department of livestock shall prepare a joint report to the 53rd legislature regarding the present state of bison management in Montana and any progress on an agreement for the long-term management of the Yellowstone national park herd."

And, as amended, do pass. Report adopted.

HB 613, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "sportsmen"

Insert: ", sportswomen,"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
HB 432, introduced bill, do pass. Report adopted.
HB 585, introduced bill, be amended as follows:

2/13/91

1. Title, line 8.

Following: "RETIREEES"

Insert: "AND STUDENT FINANCIAL AID RECIPIENTS"

2. Page 3, line 2.

Following: ";

Strike: "or"

3. Page 3, line 4.

Following: "19"

Insert: "; or

(k) the payee is a recipient of student financial assistance administered or insured by the guaranteed student loan program pursuant to Title 20, chapter 26"

4. Page 3, line 7.

Following: "(2)(i),"

Strike: "or"

Following: "(2)(j)."

Insert: "or (2)(k),"

5. Page 3, line 11.

Following: "(2)(i),"

Strike: "or"

Following: "(2)(j)."

Insert: "or (2)(k),"

And, as amended, do pass. Report adopted.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 797: Measure.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 12:30 p.m., Thursday, February 14, 1991. Motion carried.

House adjourned at 3:05 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 14, 1991

House Chambers
State Capitol

House convened at 1:10 p.m. Mr. Speaker in the Chair. Invocation by Reverend Joe Easton. Pledge of Allegiance to the Flag.

Roll call. All members present except O'Keefe, Whalen, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirtieth and thirty-first legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/14/91
Correctly printed: HB 29, HB 47, HB 230, HB 263, HB 305, HB 306, HB 336, HB 342, HB 354, HB 359, HB 390, HB 425, HB 428, HB 432, HB 467, HB 585, HB 610, HB 613, HB 635, HB 648, HJR 11, HJR 12, HJR 13.
Correctly engrossed: HB 54, HB 367, HB 391, HB 404, HB 424, HB 445, HB 450, HB 529, HB 599, SB 66.
Correctly enrolled: HB 98.
Examined by the sponsor and found to be correct:
HB 98 - Dolezal

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 2/13/91

HB 90, introduced bill, be amended as follows:

1. Title, line 7.
Following: ";
Insert: "PROVIDING A CONTINGENCY FOR THE REASSIGNED ALLOCATION TO BE USED FOR AGRICULTURAL PURPOSES;"
2. Page 5.
Following: line 5
Insert: "NEW SECTION. Section 3. Reassignment of bonding authority for agricultural purposes -- contingency. If, at some time in the future, federal taxation laws allow the use of tax-exempt bonds to provide loans for the acquisition of farm or ranch land, a downpayment on the acquisition of farm or ranch land, or the acquisition or construction of depreciable property used in the operation of a farm or ranch, the allocation of bonding authority originally assigned to the Montana agricultural loan authority must be reassigned to the Montana board of investments to provide those loans."
Renumber: subsequent sections

3. Page 5.
Following: line 13

Insert: "NEW SECTION. Section 5. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 17, chapter 5, and the provisions of Title 17, chapter 5, apply to [section 3]."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 622, introduced bill, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/14/91

HB 503, introduced bill, be amended as follows:

1. Title, lines 5 through 7.

Following: ";" on line 5

Strike: remainder of line 5 through "POOL;" on line 7

2. Title, line 9.

Strike: "IMMEDIATE"

3. Page 2, line 4.

Following: line 3

Insert: "(3) 'Sports tab' means a folded or banded ticket with a face covered to conceal a combination of two numbers, with each number ranging from zero through nine."

Renumber: subsequent subsection

4. Page 2, line 4.

Following: "tab"

Insert: "game"

Following: "a"

Insert: "gambling enterprise conducted on a"

Strike: "100"

Insert: "sports"

5. Page 2, lines 5 through 7.

Following: "attached" on line 5

Strike: remainder of line 5 through "tab" on line 7

Insert: ". A person may purchase a sports tab from the card"

6. Page 2, line 8.

Strike: "any"

Insert: "a"

7. Page 2, lines 8 and 9.

Following: "event" on line 8

Strike: remainder of line 8 through "animals" on line 9

Insert: "as provided in 23-5-503"

8. Page 2, line 11.

Strike: "tabs"

Insert: "tab games"

9. Page 2, line 12.

Strike: "tabs"

Insert: "tab games"

10. Page 2, line 15.

Strike: "recording"

Insert: "conducting"

11. Page 2, line 16.

Following: "tab"

Insert: "game"

12. Page 2, line 17.

Following: "or"

Insert: "sports"

Following: "must"

Insert: ":

(a)"

13. Page 2, line 19.

Following: "tab"

Insert: "game"

14. Page 2, line 21.

Following: "winners"

Insert: "; and

(b) contain 100 sports tabs, with each tab containing a different combination of numbers. The sports tabs must be purchased from a manufacturer licensed under 23-5-152"

15. Page 2, line 22.

Following: "A"

Insert: "sports tab or a"

16. Page 2, lines 22 and 23.

Strike: "or sports tab"

17. Page 2, line 24.

Following: "tab"

Insert: "game"

18. Page 3, line 1.

Strike: "\$100"

Insert: "\$5"

19. Page 3, line 3.

Strike: "\$10,000"

Insert: "\$500"

20. Page 3, lines 5 and 6.

Strike: "An individual chance to participate in a"

Insert: "A"

21. Page 3, line 7.

Following: "consideration."

Insert: "not exceeding \$5, and the total amount to be paid to the winners of any individual sports tab may not exceed \$500,"

22. Page 3, line 9.

Following: "tab"

Insert: "game"

23. Page 3, line 10.

Following: "all"

Insert: "sports"

24. Page 3, line 18.

Following: "or"

Insert: "50% of the total amount paid for all"

Strike: "tab"

Insert: "tabs sold"

25. Page 3, line 19.

Following: line 18

Insert: "(4) (a) A sports tab game may be conducted only in conjunction with a sports event in which the participants in the event are natural persons.

(b) A winner in a sports tab game is determined by matching the numbers on the sports tab with the last or the only digit of the score of the sports event at specified intervals during the event or at the end of the event."

26. Page 3, line 20.

Strike: "on passage and approval"

Insert: "July 1, 1991"

And, as amended, do pass. Report adopted.

HB 552, introduced bill, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/14/91

HB 582, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/13/91

HB 521, introduced bill, do pass. Report adopted.

HJR 16, introduced bill, do pass. Report adopted.

SB 135, third reading copy, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/14/91

HB 360, introduced bill, be amended as follows:

1. Title, line 5.

Following: "COMMISSION;"

Insert: "DELETING PROVISIONS THAT ESTABLISH A TERMINATION DATE FOR THE SUSPENSION OF ADJUDICATION REQUIREMENTS;"

2. Title, line 6.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "2-15-212,"

Insert: "85-2-217, 85-2-231, AND 85-2-702,"

3. Page 1, line 14.

Following: "11,"

Strike: "1979"

Insert: "1990"

4. Page 2, line 10.

Following: "for"

Insert: "staggered"

5. Page 2.

Following: line 13

Insert: "Section 2. Section 85-2-217, MCA, is amended to read:

"85-2-217. Suspension of adjudication. While negotiations for the conclusion of a compact under part 7 are being pursued, all proceedings to generally adjudicate reserved Indian water rights and federal reserved water rights of those tribes and federal agencies which are negotiating are suspended. The obligation to file water rights claims for those reserved rights is also suspended. This suspension shall be effective until ~~July 1, 1993, as long as negotiations are continuing or ratification of a completed compact is being sought. If approval by the state legislature and tribes or federal agencies has not been accomplished by July 1, 1993, the suspension shall terminate on that date. Upon termination of the suspension of this part, the tribes and the federal agencies shall be subject to the special filing requirements of 85-2-702(3) and all other requirements of the state water adjudication system provided for in Title 85, chapter 2~~ the negotiations are terminated pursuant to 85-2-704. Those tribes and federal agencies that choose not to negotiate their reserved water rights ~~shall be~~ are subject to the full operation of the state adjudication system and may not benefit from the suspension provisions of this section."

Section 3. Section 85-2-231, MCA, is amended to read:

"85-2-231. Temporary preliminary and preliminary decree.

(1) A water judge may issue a temporary preliminary decree prior to the issuance of a preliminary decree if the temporary preliminary decree is necessary for the orderly adjudication or administration of water rights.

(2) (a) The water judge shall issue a preliminary decree. The preliminary decree shall be based on:

(i) the statements of claim before the water judge;

(ii) the data submitted by the department;

(iii) the contents of compacts approved by the Montana legislature and the tribe or federal agency or, lacking an approved compact, the filings for federal and Indian reserved rights; and

(iv) any additional data obtained by the water judge.

(b) The preliminary decree shall be issued within 90 days after the close of the special filing period set out in ~~85-2-702(3)~~ 85-2-704 or as soon thereafter as is reasonably feasible.

(c) This section does not prevent the water judge from issuing an interlocutory decree or other temporary decree, pursuant to 85-2-321 or as provided in subsection (1) of this section, or if such a decree is otherwise necessary for the orderly administration of water rights prior to the issuance of a preliminary decree.

(3) A preliminary decree may be issued for any hydrologically interrelated portion of a water division, including but not limited to a basin, subbasin, drainage, subdrainage, stream, or single source of supply of water, at a time different from the issuance of other preliminary decrees or portions of the same decree.

(4) The preliminary decree shall contain the information and make the determinations, findings, and conclusions required for the final decree under 85-2-234. The water judge shall include in the preliminary decree the contents of a compact negotiated under the provisions of part 7 that has been approved by the legislature and the tribe or federal agency.

(5) If the water judge is satisfied that the report of the water master meets the requirements for the preliminary decree set forth in subsections (1) and (3) and is satisfied with the conclusions contained in the report, the water judge shall adopt the report as the preliminary decree. If the water judge is not so satisfied, he may, at his option, recommit the report to the master with instructions, or modify the report and issue the preliminary decree.

(6) In issuing a subsequent preliminary decree, the water judge shall incorporate the temporary preliminary decree for the basin as modified by objections and hearings. The temporary preliminary decree or preliminary decree, as modified after objections and hearings, is enforceable and administrable according to its terms among parties ordered under 85-2-406. The preliminary decree, as modified after objections and hearings, shall upon issuance supersede and replace the temporary preliminary decree."

Section 4. Section 85-2-702, MCA, is amended to read:

"85-2-702. Negotiation with Indian tribes. (1) The reserved water rights compact commission, created by 2-15-212, may negotiate with the Indian tribes or their authorized representatives jointly or severally to conclude compacts authorized under 85-2-701. Compact proceedings shall be commenced by the commission. The commission shall serve by certified mail directed to the governing body of each tribe a written request for the initiation of negotiations under this part and a request for the designation of an authorized representative of the tribe to conduct compact negotiations. Upon receipt of such written designation from the governing body of a tribe, compact negotiations shall be considered to have commenced.

(2) When the compact commission and the Indian tribes or their authorized representatives have agreed to a compact, they shall sign a copy and file an original copy with the department of state of the United States of America and copies with the secretary of state of Montana and with the governing body for the tribe involved. The compact is effective and binding upon all parties upon ratification by the legislature of Montana and any affected tribal governing body, and approval by the appropriate federal authority.

(3) Upon its ratification by the Montana legislature and the tribe, the terms of a compact must be included in the preliminary decree as provided by 85-2-231, and unless an objection to the compact is sustained under 85-2-233, the terms of the compact must be included in the final decree without alteration. ~~However, if approval of the state legislature and tribe has not been accomplished by July 1, 1993, all Indian claims for reserved water rights that have not been resolved by a compact must be filed with the department within 6 months. These new filings shall be used in the formulation of the preliminary decree and shall be given treatment similar to that given to all other filings."~~

And, as amended, do pass. Report adopted.

HB 361, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "LATER;" on line 6

Strike: "AMENDING SECTIONS 85-2-221 AND 85-2-703, MCA;"

2. Page 1, line 11 through page 3, line 7.

Strike: sections 1, 2, and 3 in their entirety

Insert: "NEW SECTION. Section 1. Purpose. The purpose of [section 2] is to ensure that a federal reserved water right with a priority date of July 1, 1973, or later be subject to the same process and adjudication as a federal reserved water right with a priority date before July 1, 1973.

NEW SECTION. Section 2. Federal reserved water rights with priority date of July 1, 1973, or later -- process and adjudication. (1) Under authority granted to the states by 43 U.S.C. 666, a federal reserved water right that has a priority date of July 1, 1973, or later and that is asserted by a federal agency is subject to the claim filing requirements and all other applicable requirements of the state water adjudication system provided for in Title 85, chapter 2, parts 2 and 7.

(2) At the request of a federal agency, the reserved water rights compact commission may negotiate to conclude a compact under Title 85, chapter 2, part 7, for a federal reserved water right with a priority date of July 1, 1973, or later.

(3) Whenever necessary, a water judge may reopen any decree issued pursuant to Title 85, chapter 2, to process the asserted or negotiated reserved water right."

Renumber: subsequent sections

3. Page 3, line 9.

Following: "["

Strike: "Section 3"

Insert: "Sections 1 and 2"

Following: "3]"

Strike: "is"

Insert: "are"

4. Page 3, line 11.

Following: "["

Strike: "section 3"

Insert: "sections 1 and 2"

And, as amended, do pass. Report adopted.

HB 485, introduced bill, be amended as follows:

1. Page 3, line 22.

Following: "absolute)"

Insert: "or motor fuel blend, such as gasohol,"

2. Page 3, line 23.

Following: "a"

Strike: "minimal"

Insert: "de minimis"

3. Page 3, line 25.

Following: "~~e~~ontains"

Insert: "contains or contained"

4. Page 4, line 1.

Strike: line 1 in its entirety

5. Page 4, lines 2 through 4.

Following: "products" on line 2

Strike: remainder of line 2 through "discovered" on line 4

And, as amended, do pass. Report adopted.

HB 524, introduced bill, be amended as follows:

1. Page 3, line 6.

Following: "appropriations."

Insert: "The appropriation made in [section 4] is a biennial appropriation."

And, as amended, do pass. Report adopted.

HB 537, introduced bill, do pass. Report adopted.

HJR 14, introduced bill, be amended as follows:

1. Title, line 6.

Following: "HEARINGS"
Insert: "IN MONTANA"

2. Title, line 9.
Following: "BEING"
Strike: "HARVESTED ON A SUSTAINED-YIELD"
Insert: "MANAGED ON A SUSTAINABLE"

3. Page 2, line 2.
Following: "hearings"
Insert: "in Montana"

4. Page 2, line 8.
Following: "being"
Strike: "harvested on a sustained-yield"
Insert: "managed on a sustainable"

And, as amended, do pass. Report adopted.

HJR 17, introduced bill, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/13/91

HB 195, introduced by Kilpatrick

Senate bills passed and transmitted to the House for concurrence: 2/13/91

SB 17, introduced by Blaylock
SB 69, introduced by Eck
SB 130, introduced by Kennedy

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620
February 14, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 17, 79 and 84 on February 14, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 817, introduced by R. Johnson, referred to Committee on Education and Cultural Resources

HB 818, introduced by Kadas, Van Valkenburg, Peck, Bardanouve, Cobb, Strizich, Thomas, Driscoll, Gilbert, Crippen, Keating, referred to Committee on Education and Cultural Resources

HB 819, introduced by Russell, Fritz, Gervais, Harper, Steppler, Schye, J. Brown, Forrester, Scott, Peck, Stickney, Cocchiarella, Ream, Darko, Bachini, Elliott, Doherty, Yellowtail, Jergeson, Svrcek, Nathe, Gage, referred to Committee on Business and Economic Development

HB 820, introduced by Toole, Kadas, Brooke, Larson, J. Brown, referred to Committee on Human Services and Aging

HB 821, introduced by Toole, Cobb, Becker, Wanzenried, Larson, referred to Committee on Judiciary

HB 822, introduced by Kadas, referred to Committee on Taxation

HB 823, introduced by Whalen, McCulloch, Blaylock, Southworth, Driscoll, Kimberley, Scott, Becker, Towe, Kilpatrick, Forrester, referred to Committee on Local Government

HB 824, introduced by Whalen, referred to Committee on Labor and Employment Relations

The following Senate bills were introduced, read first time, and referred to committee:

SB 17, introduced by Blaylock (by request of the Legislative Oversight Committee on School Funding Implementation), referred to Committee on Education and Cultural Resources

SB 69, introduced by Eck (by request of the Department of Revenue), referred to Committee on Taxation

SB 130, introduced by Kennedy, Pipinich, Thayer, Connelly, Wanzenried, Measure, Cohen, Harper, Becker, Bruski, O'Keefe, T. Beck, Van Valkenburg, Doherty, Hockett, Grosfield, Jergeson, Crippen, Svrcek, Devlin, Mazurek, referred to Committee on Labor and Employment Relations

SPECIAL ORDERS OF THE DAY

Speaker Harper appointed a committee consisting of Representatives Toole, S. Rice, Hayne and R. Johnson who escorted Senator Max Baucus to the rostrum. Senator Baucus gave the following address to the House of Representatives.

SENATOR BAUCUS' ADDRESS TO THE MONTANA LEGISLATURE

Thursday, February 14, 1991

It is a pleasure, and an honor, for me to be here with you this afternoon.

But first, as we meet here today, a word about a matter that concerns us each day. I think we all feel a certain pall cast over the country by the war. That was brought home to me again just a few minutes ago at a rally in support of our troops here on the Capitol steps.

There's not a person among us who isn't concerned about that conflict and the welfare of our men and women in the Gulf. We're proud of them, and we fully support them as well as the President's effort to find a speedy resolution of this conflict -- with a minimal loss of life.

Every day, as I look at the pictures of men and women in uniform prepared to do their job to the best of their ability, I remind myself that we at home should demand no less from ourselves.

If our soldiers are prepared to give the ultimate sacrifice for their country - - certainly we, too, can go the extra mile in service to our people.

As public servants, our most important job now is preparing our towns, our state, and our country for the future -- making sure we are doing OUR part to restore our economic strength, both nationally and locally -- making sure our country's future is worthy of our returning troops.

We must do all we can to help provide good paying jobs so that our families can make ends meet, and to provide the resource base to support education, highways and other needed services.

It won't be easy. Nothing worth doing ever is. Some events are virtually beyond our control: the duration, the cost, and the aftermath of the war in the Gulf -- the success, or failure, of the world trade talks, particularly whether we can persuade the EEC to lower its agriculture subsidies -- the potential breakup of the Soviet Union, and all of its consequences.

While we must be prepared to deal with these events, as individuals we can do little to influence them.

But there is a lot we can do. You can certainly work on legislation that is in your domain. Conrad, Pat, Ron and I can certainly work on federal legislation in ours, such as passage of a wilderness bill.

That's obvious. Yet it's becoming more clear to me that joint cooperative efforts between state government and the delegation are not only more frequent, but more necessary.

Let's look first at what's worked.

The McLaughlin Research Institute in Great Falls is a good example. The combination of five million dollars of federal money and two million in state funds will produce a new laboratory building that will help Montana prepare for the future, with jobs and with economic growth.

In Missoula and Billings, local governments and private organizations worked with us to get funds for two other important land acquisitions -- the Rattlesnake corridor and Pompey's Pillar, totalling about \$1.2 million.

We all have to keep up our efforts to make sure those two projects are completed. And I'm confident that together, with effort, we'll see them concluded.

We can also point with pride to the federal appropriation for a new \$3.5 million Mine Waste Technology Center in Butte. The inspiration for this important project came from Montana Technologies Company and Montana Tech. And Conrad, Pat and I were able to get the congressional help that was needed.

When it's finished, the new center will mean an important and prestigious role for Butte in the national cleanup of mine wastes. It will help us clean up our own contamination and help lead the way for other states to do likewise. And it also will mean jobs and a further boost to the Montana economy. A winner all the way around.

In Bozeman, a \$5 million federal highway demonstration project for a new 19th Street interchange -- a project developed by the city, which also donated the land -- will not only help local business, it will show how treated wastewater can be used to irrigate the surrounding landscaping. That is cooperation that will pay future benefits.

And future benefits are at the heart of the \$100,000 grant we got for the University of Montana. The money will fund a project to seek cooperation among the timber industry, academia, and local businesses to develop new value-added products -- products that will mean more demand for Montana's resources and better jobs for its people.

There are other examples.

Last year the state, the delegation and the Rocky Mountain Elk Foundation worked together to get 3.5 million dollars to purchase additional land near Yellowstone Park for elk habitat. That appropriation is an investment in the wildlife legacy that helps make Montana such a special place.

These are examples of joint cooperative efforts that have produced results. But what about the future? What joint cooperative efforts lie ahead?

There's one that's not very glamorous, but nevertheless, very important. And that's solid waste disposal -- garbage.

I chair the Senate Subcommittee on Environmental Protection. We're tackling the whole gamut of solid waste issues this year, including allowing states to ban the importation of solid waste. We'll be doing that when we dive into renewing the Resource Conservation and Recovery Act. We're also going to encourage recycling.

Recycling is more than just a good concept. It will help keep our landfills in operation longer. In 1980, Montana had 250 landfills. Now, more than half are closed. And in a few years, only 35 to 50 landfills may still be open. Recycling means more than just separating garbage, however. That's the easy part. Recycling means finding and encouraging markets for products using recycled materials.

These markets just don't find themselves. That's why we need a partnership of local, state and federal agencies working together to find innovative, creative ways to achieve more recycling. For instance, the federal government can use the tax code to encourage development of needed plants and equipment. And state and local governments could exempt recycling operations from property taxes. And all levels of government can find ways of buying more recycled products.

You can be sure that I'll be working closely with you so that we enact a RCRA bill that works.

In another example, it was Montana's local communities and state government that let us in Washington know that some of our well-meaning environmental regulations were working real hardships on small towns.

The result was my Small Communities Assistance Bill -- a \$4.5 billion grant and loan program. The purpose of the bill is to help towns pay for public health and environmental facilities including sewage treatment plants, drinking water systems and solid waste programs. Under the bill, communities under 3,500 in population would be able to meet the financial burdens of these necessary programs.

Unfortunately we didn't get that bill all the way through the Congress last session, but I'm determined to get it through this year.

There's one final matter that perhaps deserves our closest attention -- reauthorization of our nation's highway program. The President's proposal to reform the highway system may sound good on the surface -- more money for transportation -- even if the big increases don't come until 1995 and 96. But look a little deeper and you'll see that it is bad news for Montana.

The proposal to designate so-called highways of national significance clearly favors states with large populations and small land areas, just the opposite of Montana's situation. Worse, it would ignore many communities of significance to Montana. Towns like Lewistown, Jordan, Scobey, Broadus, Thompson Falls, Ennis, and Red Lodge would be left off the new system.

And not only will we have fewer communities on the federal aid system, the state will have to pay a higher proportion of the costs. The state share for interstate costs would rise from 10 percent to 25 percent. And for rural roads, it would jump from 25 percent now to 40 percent under the President's plan. The Highway Department estimates that these new match requirements would cost Montana an additional \$30 million, more than double the current amount.

In truth, this plan, just like many of the policies of earlier years, ignores the special nature of many less populated, western states. For example, California, with some 29 million people, has about 30 feet of highway for each person. Montana, by contrast, has some 472 feet of highway per capita, nearly 16 times more. And the Administration's proposal simply doesn't take that additional burden on Montanans into account.

The Montana House has recently approved a joint resolution -- H.J.Res. 12 -- that opposes any changes in the highway formula. That's the right track and I'll work to ensure that Montana gets its share.

Furthermore, you should know that Governor Stephens is doing a good job rallying western governors. He organized governors at the National Governor's Conference in Washington last week. And he's dedicated state resources along with other western governors to help our cause.

Stan and I have already discussed western state strategy several times. I, too, have organized Western Senators on our mutual behalf. As the only member of our Congressional delegation on the relevant committee, I will coordinate our mutual effort to help assure our western states' victory.

This is Valentine's Day! I won't say that I have any romantic affection for any of you, but I do have a lot of respect and admiration for what you do. You work very hard.

You all attend all of your committee meetings, you make quick decisions as you report out bills. You all attend the full sessions in the afternoons -- it's a very compressed few months.

You also are one of the few remaining truly citizen's legislative bodies in the nation. You are a good cross-section of the folks you represent. You are not predominantly lawyers. You are real people.

I'm very proud to have you as my legislature. Together, we have a lot to do. You, Stan and the four of us in the delegation. Let's roll up our sleeves and get it done!

Thank you.

Speaker Harper thanked Senator Baucus for addressing the House.

Members of the committee escorted Senator Baucus from the House chamber.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Keller in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 377 - Representative Raney moved consideration of HB 377 be passed for the day. Motion carried.

HB 448 - Representative Ream moved HB 448 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Whalen.
Total 1

Absent or not voting: Dowell, Keller.
Total 2

HB 288 - Representative Strizich moved HB 288 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb, Peck.
Total 2

Excused: Whalen.
Total 1

Absent or not voting: None.
Total 0

HB 378 - Representative Pavlovich moved HB 378 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Becker, Benedict, Boharski, J. Brown, Cobb, Connelly, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet,

O'Keefe, Pavlovich, Peck, Phillips, Quilici, J. Rice, Spring, Stang, Strizich, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.

Total 62

Noes: Bardanouve, Barnhart, Beck, Bergsagel, Bradley, Brooke, D. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Elliott, Grady, S. J. Hansen, Hoffman, Kadas, Madison, Measure, L. Nelson, T. Nelson, Peterson, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stepler, Stickney, Swysgood, Thoft, Wanzenried.

Total 36

Excused: Whalen.

Total 1

Absent or not voting: Darko.

Total 1

HB 405 - Representative Wallin moved HB 405 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, Clark, Cody, Cohen, Cromley, Darko, Davis, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Knox, Larson, Lee, McCaffree, McCarthy, Menahan, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wallin, Wanzenried, Wyatt, Zook.

Total 67

Noes: Bachini, Bardanouve, J. Brown, Cobb, Cocchiarella, Connelly, Daily, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Galvin, Gervais, Grady, Kasten, Kilpatrick, Kimberley, Madison, McCulloch, Measure, Mercer, Nisbet, O'Keefe, Quilici, J. Rice, Scott, Southworth, Stepler, Thomas, Tunby, Mr. Speaker.

Total 32

Voted Absentee: Gilbert, Aye.

Excused: Whalen.

Total 1

Absent or not voting: None.
Total 0

Mr. Speaker Pro Tempore moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Keller moved the adoption of the committee report. Report adopted. (88-5)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/14/91
Correctly printed: HB 521, HB 622, HJR 16.
Signed by the Speaker at 1:45 p.m., 2/14/91: HB 98.
Signed by the Speaker at 2:45 p.m., 2/14/91: SB 11, SB 41, SB 54, SB 68,
SB 70, SB 81, SB 150, SB 155.
Delivered to the Governor for his approval at 2:15 p.m., 2/14/91: HB 98.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/14/91
HB 534, introduced bill, be amended as follows:

1. Title, line 7.

Following: "WITHOUT"

Insert: "EQUITABLE"

2. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS 20-3-302, 20-3-351, AND"

3. Page 1, line 18.

Following: "without"

Insert: "equitable"

4. Page 1, line 21.

Following: "positions"

Insert: "under the provisions of subsection (2) or when the electors approve
an alternative method of electing members of the board of trustees
under the provisions of subsection (3)"

5. Page 2, line 25.

Strike: "(3)"

Insert: "(d)"

6. Page 3, line 14.

Insert: "(3) (a) If more than half of the electors of the high school district
reside outside the territory of the elementary school district in
which the high school district buildings are located, at least 10%
of the electors of the high school district who are qualified to vote
under the provisions of 20-20-301 may petition the county
superintendent, requesting an election to consider a proposition on
the question of establishing the following alternative method of
electing the members of the high school district board of trustees:
(i) one trustee to be elected from each elementary school
district with territory included in the high school district; and

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(ii) two or three trustees to be elected at large in the high school district, whichever number results in an odd number of members on the board of trustees.

(b) (i) When the county superintendent receives a valid petition, the county superintendent shall order the trustees of the high school district to conduct an election on the next regular school election day on the proposition allowed under the provisions of subsection (3)(a).

(ii) If the electors of the district approve a proposition to establish the alternative method of electing the high school board of trustees, the county superintendent shall order that the members of the board of trustees be elected according to subsection (3)(a) at the next regular school election.

(c) Whenever the trustees are elected at one regular election under subsection (3)(b), the members who are elected shall draw by lot to determine their terms of office. The terms of office by trustee position must be divided as equally as practicable among 1-, 2-, and 3-year terms.

(d) A petition to call an election for the purposes of subsection (3) may not be submitted to the county superintendent more than one time in each 5-year period.

Section 2. Section 20-3-302, MCA, is amended to read:

"20-3-302. Legislative intent to elect less than majority of trustees. (1) It is the intention of the legislature that the terms of a majority of the trustee positions of any district with elected trustees shall may not regularly expire and be subject to election on the same regular school election day. Therefore, in elementary districts, there shall may not be more than three trustee positions in first-class districts, two trustee positions in second-class districts or third-class districts having five trustee positions, or one trustee position in third-class districts having three trustee positions regularly subject to election at the same time. In high school districts there shall may not be more than two additional trustee positions in first- or second-class districts or more than one in third-class districts regularly subject to election at the same time. In high school districts operating a county high school, there shall may not be more than two trustee positions to be filled by members residing in the elementary district where the county high school building is located or more than one trustee position to be filled by members residing outside of the elementary district where the county high school building is located subject to election at the same time.

(2) While it is the intention of the legislature that the terms of a majority of trustees of any district shall may not regularly expire and be subject to election at the same time, it is recognized that the following circumstances, relating to the terms of trustees appointed to newly created positions or to positions vacated by death, resignation, or operation of law, may lead to a subsequent school election in which a majority of trustee positions are subject to election at the same time:

(a) the creation of a new elementary district under the provisions of 20-6-217;

(b) the consolidation of two or more elementary districts to form an elementary district under the provisions of 20-6-203;

(c) the establishment of additional trustee positions of a high school district under the provisions of 20-3-353 or 20-3-354 or new trustee positions under the provisions of 20-3-352(3);

(d) the change of a district's classification under the provisions of 20-6-201 and 20-6-301;

(e) the filling of a trustee position ~~which~~ that has become vacant under the provisions of 20-3-308 or any other provision of law;

(f) the establishment of additional elementary trustee positions under the provisions of 20-3-341(3); or

(g) any other circumstance arising under the law wherein a trustee position is filled by appointment subject to election at the next regular school election."

Section 3. Section 20-3-351, MCA, is amended to read:

"20-3-351. Number of trustee positions in high school districts. (1) ~~The Except as provided in 20-3-352(3), the~~ trustees of a high school district, except a high school district operating a county high school, ~~shall~~ must be composed of:

(a) the trustees of the elementary district ~~where~~ in which the high school building is located or, if there is more than one elementary district ~~where~~ in which high school buildings are located, the trustees of the elementary district designated by the high school boundary commission; and

(b) the additional trustee positions determined in accordance with 20-3-352(2).

(2) The trustees of a high school district operating a county high school ~~shall~~ must be composed of seven trustee positions.""

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

2/14/91

HB 420, introduced bill, do pass. Report adopted.

HB 493, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/13/91

HB 562, introduced bill, be amended as follows:

1. Page 1, line 14.

Strike: "Every"

Insert: "Except as provided by law, each"

2. Page 1, line 16.

Following: "format"

Insert: ", "

Following: "subject"

Insert: "to"

3. Page 1, line 19.

Following: "copyright"

Strike: "is"

Insert: "are"

4. Page 1, line 21.

Following: "provided"

Strike: "in 1-11-301"

Insert: "by law"

5. Page 1, line 22.

Following: "exceed"

Insert: ":

(a)"

6. Page 1, line 25.

Following: "media"

Strike: "."

Insert: "; or

(b) expenses incurred by the agency as a result of mainframe processing charges or other out-of-pocket expenses directly associated with the request for information.

(3)"

7. Page 2, line 5.

Following: line 4

Insert: "(4) For the purposes of this section, the term "agency" has the meaning provided in 2-3-102 but includes legislative, judicial, and state military agencies."

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman):

2/14/91

HB 580, introduced bill, be amended as follows:

1. Title, line 17.

Following: "DATES,"

Strike: "A RETROACTIVE"

Following: "APPLICABILITY"

Strike: "DATE"

Insert: "DATES"

2. Page 2, line 7.

Strike: "schools"

Insert: "the elementary school and high school district retirement fund budget"

3. Page 2, line 13.

Following: "for"

Strike: "schools"

Insert: "the county retirement fund"

4. Page 2, line 14.

Following: "revenue"

Strike: "received by a district"

Insert: "deposited in the elementary school or high school district retirement fund"

5. Page 2, line 15.

Following: "previous"

Insert: "calendar"

Following: "for"

Insert: "school"

6. Page 2, line 16.

Strike: "fiscal"

Insert: "calendar"

7. Page 2, line 17.

Following: "for"

Insert: "school"

8. Page 2, line 19.

Strike: "district"

Insert: "county"

9. Page 2, line 20.

Strike: "previous year"

Insert: "current school fiscal year in support of the elementary and high school district retirement fund budget"

10. Page 3, line 3.

Strike: "schools"

Insert: "the school district's general fund"

11. Page 3, line 6.

Following: "program"

Strike: "schedule"

12. Page 3, line 9.

Strike: "received by"

Insert: "deposited in"

Strike: "district"

Insert: "district's general fund budget"

Following: "previous"

Insert: "calendar"

Following: "for"

Insert: "school"

13. Page 3, line 10.

Following: "in"

Strike: "fiscal"

Insert: "calendar"

14. Page 3, line 12.

Following: "for"

Insert: "school"

15. Page 3, line 14.

Strike: "previous year"

Insert: "current school fiscal year in support of the district's general fund budget"

16. Page 3, line 23.

Following: line 22

Insert: "(4) "Statewide county mill value per elementary ANB" or "statewide county mill value per high school ANB" means the sum of the taxable valuation in the previous year of all property in the state plus the taxable value of oil and gas net proceeds determined under 15-23-607(4) for production occurring after March 31, 1990, plus the taxable value of coal gross proceeds determined under 15-23-703(3) plus all the taxable value of nonlevy revenue for support of the elementary school or high school district retirement fund budget, other than Public Law 81-874 funds, divided by 1,000, with the quotient divided by the total state elementary ANB count or the total state high school ANB amount used to calculate the elementary school districts' and high school districts' current year foundation program amounts. The taxable value of nonlevy revenue for the purposes of computing guaranteed tax base aid to the county retirement fund is the amount of nonlevy revenue deposited in the elementary school or high school district retirement fund the previous calendar year, including for school fiscal year 1991 the revenue received in calendar year 1990 from the net proceeds taxation of oil and natural gas and including for school fiscal year 1992 and thereafter the local government severance tax, divided by the number of mills levied by the county in the current school fiscal year in support of the elementary school and high school retirement funds, multiplied by 1,000."

Renumber: subsequent subsection

17. Page 3, line 23.

Following: "Statewide"

Insert: "district"

18. Page 3, line 24.

Following: "statewide"

Insert: "district"

19. Page 4, line 6.

Strike: "schools"

Insert: "the general fund budget of all school districts"

20. Page 4, line 13.

Strike: "received by a"

Insert: "deposited to the general fund of a school"

21. Page 4, line 14.

Following: "previous"

Insert: "calendar"

Following: "for"

Insert: "school"

22. Page 4, line 15.

Strike: "fiscal"

Insert: "calendar"

23. Page 4, line 16.

Following: "for"

Insert: "school"

24. Page 5, line 1.

Strike: "June 15"

Insert: "March 1"

25. Page 5, line 3.

Strike: "July 15"

Insert: "May 1"

26. Page 6, line 19.

Strike: "Retroactive applicability"

Insert: "Applicability"

27. Page 6, line 20.

Following: line 19

Insert: "(1)"

28. Page 6, line 23.

Following: line 22

Insert: "(2) Except as provided in subsection (1), [this act] applies to school fiscal years beginning after June 30, 1991."

And, as amended, do pass. Report adopted.

HB 591, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "RECEIVING A STATE TAX EXEMPTION"

Insert: "FINANCED IN WHOLE OR IN PART BY TAX-EXEMPT INDUSTRIAL REVENUE BONDS"

2. Page 1, lines 13 and 14.

Strike: "receiving a tax exemption from the state"

Insert: "financed in whole or in part by tax-exempt industrial revenue bonds"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 825, introduced by D. Brown, Driscoll, Strizich, Clark, Jacobson, Lynch, Darko, Daily, Pavlovich, Menahan, Quilici, Ellison, Nathe, Thomas,

Lee, R. Johnson, Hoffman, Gilbert, R. DeBruycker, Keller, J. Rice, Hayne, Peterson, referred to Committee on Judiciary

HB 826, introduced by M. Hanson, T. Beck, Ellison, Thoft, Swysgood, Zook, referred to Committee on Taxation

HB 827, introduced by Harper, S. Rice, Larson, McCulloch, Galvin, J. Brown, D. Brown, referred to Committee on Business and Economic Development

HB 828, introduced by McCulloch, Cobb, Grady, Blaylock, Driscoll, Kadas, Stang, Strizich, O'Keefe, Harrington, Raney, referred to Committee on Education and Cultural Resources

HB 829, introduced by Phillips, referred to Committee on State Administration

HB 830, introduced by Phillips, referred to Committee on State Administration

HB 831, introduced by J. Brown (by request of the Department of Institutions), referred to Committee on Human Services and Aging

HB 832, introduced by Ellison, referred to Committee on Taxation

HB 833, introduced by Lee, B. Brown, Kennedy, Connelly, Mercer, Measure, Dowell, Harding, Wanzenried, referred to Committee on Fish and Game

HB 834, introduced by Spring, referred to Committee on Judiciary

HB 835, introduced by Knox, referred to Committee on Human Services and Aging

HB 836, introduced by Driscoll, referred to Committee on Labor and Employment Relations

HB 837, introduced by Driscoll, referred to Committee on Labor and Employment Relations

HB 838, introduced by Southworth, Towe, Cohen, Harper, Kadas, J. Johnson, Madison, O'Keefe, Ream, Barnhart, Driscoll, Dolezal, Weeding, Halligan, referred to Committee on Natural Resources

HB 839, introduced by Lee, Toole, Stickney, Darko, J. Rice, Keller, Strizich, D. Brown, Messmore, Becker, Russell (by request of the House Judiciary Committee), referred to Committee on Judiciary

HB 840, introduced by Grady, Yellowtail, Steppler, Grosfield, Thoft, referred to Committee on Agriculture, Livestock, and Irrigation

HB 841, introduced by Bergsagel, Hammond, Steppler, referred to Committee on State Administration

HB 842, introduced by Connelly, Bardanouve, Lynch, Thoft, Hockett, Harding, referred to Committee on Appropriations

HB 843, introduced by Lee, Harding, Mercer, Boharski, B. Brown, Dowell, Pinsonneault, Connelly, Cohen, Wanzenried, referred to Committee on Appropriations

HB 844, introduced by Wanzenried, referred to Committee on Natural Resources

HB 845, introduced by Brooke, Bianchi, Raney, O'Keefe, Barnhart, Kadas, Harrington, Wanzenried, referred to Committee on Natural Resources

HB 846, introduced by Menahan, Squires, Driscoll, referred to Committee on Labor and Employment Relations

HB 847, introduced by Lee, Koehnke, referred to Committee on Business and Economic Development

HB 848, introduced by Bardanouve (by request of the Department of Institutions), referred to Committee on State Administration

HJR 30, introduced by Cocchiarella, Darko, Larson, Cohen, Benedict, Raney, Connelly, Pipinich, Wanzenried, Squires, Toole, Vaughn, Dowell,

O'Keefe, Ream, Measure, Brooke, Svrcek, Halligan, Mercer, Thomas, Lee, Harp, Harper, Peterson, Barnhart, Boharski, Thoft, referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 217 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: Gilbert, Whalen.
Total 2

Absent or not voting: Bardanouve, Dowell, Keller.
Total 3

HB 304 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: J. DeBruycker, Peck, Wanzenried.
Total 3

Excused: Gilbert, Whalen.

Total 2

Absent or not voting: D. Brown.

Total 1

HB 382 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Measure, Toole.

Total 2

Excused: Gilbert.

Total 1

Absent or not voting: None.

Total 0

HB 472 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Gilbert.

Total 1

Absent or not voting: None.

Total 0

SB 66 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 70

Noes: Bachini, Becker, Bergsagel, Boharski, Cobb, Cohen, Connelly, Cromley, R. DeBruycker, Feland, Foster, Gould, Grinde, H. S. Hanson, M. Hanson, Kasten, Knox, Lee, McCarthy, Measure, Messmore, Nisbet, Peck, Phillips, J. Rice, Simpkins, Steppler, Stickney, Toole.
Total 29

Excused: Gilbert.

Total 1

Absent or not voting: None.

Total 0

HB 695 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bachini, McCaffree, T. Nelson, Peck.

Total 4

Excused: Gilbert.

Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The following sponsors were added to HB 815: B. Brown, Harding.

The following sponsor was removed from HB 788: L. Nelson.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Friday, February 15, 1991. Motion carried.

House adjourned at 3:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 15, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Kimberley. Pledge of Allegiance to the Flag.

Roll call. All members present except Knox, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/15/91
Correctly printed: HB 90, HB 360, HB 361, HB 420, HB 485, HB 493, HB 503, HB 524, HB 534, HB 537, HB 552, HB 562, HB 563, HB 580, HB 582, HB 591, HB 615, HJR 14, HJR 17.
Correctly engrossed: HB 288, HB 378, HB 405, HB 448.

FISH AND GAME (Elliott, Chairman): 2/15/91
HB 563, introduced bill, do pass. Report adopted.
HB 615, introduced bill, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/15/91
HB 494, introduced bill, do pass. Report adopted.
HB 560, introduced bill, do pass. Report adopted.
HB 678, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 2/14/91
HB 212, second reading copy, be amended as follows:

Amend House Committee on the Judiciary
amendments dated February 4, 1991, as follows:

Amendment Nos. 3, 7, 9
Strike Amendment Nos. 3, 7, and 9 in their entirety

Amend First Reading Copy of the bill as follows:

1. Page 3, line 8.
Following: "staff"
Insert: "for the purpose, among other things, of preventing violations of [section 1(2)]"

And, as amended, do pass. Report adopted.

HB 319, introduced bill, be amended as follows:

1. Page 4, line 22.
Strike: "probation or"

2. Page 16, line 11.
Following: "(3)"
Insert: "(a)"

3. Page 16, line 12.
Following: "under"
Insert: "46-18-236(1)(a) and"

Following: "(2)"

Insert: "of this section"

4. Page 16, line 14.

Strike: line 14 in its entirety

5. Page 16, line 16.

Strike: "1"

Insert: "."

6. Page 16, line 17.

Following: "(b)"

Insert: "The county treasurer shall, in the manner provided in 15-1-504, distribute"

And, as amended, do pass. Report adopted.

HB 461, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BY"

Insert: "MOTOR VEHICLE LIABILITY INSURANCE SOLD BY"

2. Page 1, line 13.

Following: "defendant's"

Insert: "motor vehicle liability"

3. Page 1, line 16.

Following: "by"

Insert: "motor vehicle liability"

4. Page 1, line 19.

Following: "coverage of the"

Insert: "liability"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 2/15/91

HB 271, introduced bill, be amended as follows:

1. Title, line 6.

Following: "TRAINS;"

Insert: "PROVIDING AN EXEMPTION FOR A CABOOSE-EQUIPPED TRAIN;"

2. Page 1, line 12.

Following: "systems"

Insert: "-- exemption for a caboose-equipped train"

3. Page 1, line 25.

Strike: "The"

Insert: "Except as provided in subsection (4), the"

4. Page 3, line 25.

Following: line 24

Insert: "(4) The commission may not require the installation and use of a telemetry system as described in this section on a train equipped with a caboose that:

- (a) meets the requirements of Montana law;
- (b) is placed as the last car of the train; and
- (c) is occupied by a member of the train crew."

And, as amended, do pass. Report adopted.

HB 506, introduced bill, be amended as follows:

1. Page 5, line 9.

Strike: "lump-sum advance under subsection (4)"

Insert: "lump sum"

2. Page 5, line 17.

Following: line 16

Insert: "(8) As used in this section, "agreement" means an agreement between the claimant and the insurer."

And, as amended, do pass. Report adopted.

HB 600, introduced bill, be amended as follows:

1. Page 1, line 23 through page 2, line 7.

Following: line 22

Strike: "1.00" through "1.56" on line 25

Insert: "1.00"

Strike: "1.76" on page 2, line 1.

Insert: "1.75"

Strike: "1.96" on line 2

Insert: "1.95"

Strike: "2.16" on line 3

Insert: "2.15"

Strike: "2.36" on line 4

Insert: "2.35"

Strike: "2.56" on line 5

Insert: "2.55"

Strike: "2.76" on line 6

Insert: "2.75"

Strike: "2.96" on line 7

Insert: "2.95"

2. Page 2, line 8.

Following: line 7

Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 256 is passed and approved and if it includes a section that amends 39-51-2204, then the schedule of the individual's ratio of total base period earnings in [section 1 of this act] replaces the schedule of the individual's ratio of total base period earnings in House Bill No. 256."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 628, introduced bill, do pass. Report adopted.

HB 663, introduced bill, be amended as follows:

1. Page 1, line 17.
Following: "except"
Insert: "27-5-115,"

And, as amended, do pass. Report adopted.

HB 730, introduced bill, be amended as follows:

1. Page 2, lines 1 through 3.
Following: "1991"
Strike: remainder of line 1 through "2,000" on line 3
Following: "." on line 3
Insert: "This subsection does not apply to a short-line railroad operating in three counties or less."

And, as amended, do pass. Report adopted.

HJR 18, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/14/91

HB 577, introduced bill, be amended as follows:

1. Title, line 5.
Following: "COUNTY,"
Strike: "OR"
Following: "CITY"
Insert: ", OR TOWN"

2. Title, line 8.
Following: "STATUS;"
Strike: "AMENDING" through "MCA;"

3. Page 1, lines 14 and 17.
Page 6, lines 1, 4, and 8.
Strike: "7"
Insert: "6"

4. Page 1, lines 17 through 19.
Following: "means" on line 17
Strike: remainder of line 17 and lines 18 and 19 in their entirety
Insert: "any person employed by or elected to an agency of a legally constituted department, board, or commission of state, county, city, or town government or any political subdivision thereof."

5. Page 2, lines 17 through 25.
Following: line 16
Strike: section 5 in its entirety
Renumber: subsequent sections

6. Page 3.

Following: line 14

Insert: "(3) Upon an employee's return from active duty military leave under the provisions of [section 3] and the employee's return to active employment, the employee must be reinstated as a member of his group insurance contract or plan without any new preexisting condition limitations or waiting periods, as if he had never been absent."

7. Page 4, line 1 through page 5, line 24.

Strike: section 8 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 605, introduced bill, do pass. Report adopted.

2/15/91

HB 734, introduced bill, be amended as follows:

2/14/91

1. Title, lines 10 and 11.

Following: "SALARY;"

Strike: "APPROPRIATING" on line 10 through "ACT;" on line 11

2. Page 2, lines 11 through 15.

Following: line 10

Strike: section 2 in its entirety

Renumber: subsequent sections

3. Page 4, line 3.

Following: "July 1,"

Strike: "1991"

Insert: "1993"

And, as amended, do pass. Report adopted.

HJR 22, introduced bill, do pass. Report adopted.

2/15/91

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/14/91

SB 120, introduced by B. Brown

SB 144, introduced by Mazurek

SB 148, introduced by Svrcek

SB 174, introduced by Franklin

SB 204, introduced by Gage

SB 220, introduced by Blaylock

SB 241, introduced by Blaylock

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 849, introduced by Bradley, Raney, D. Brown, Cromley, Steppler, Halligan, Rye, Dowell, McCulloch, Barnhart, referred to Committee on Education and Cultural Resources

HB 850, introduced by Thomas, Crippen, Mercer, Wallin, Kasten, Benedict, Ellis, Ellison, Spring, Hayne, Keller, Barnett, Keating, Peterson, H.S. Hanson, Bergsagel, Gilbert, Grinde, Foster, Messmore, Fagg, T. Nelson, Feland, Knox, Cobb, Clark, R. Johnson, R. DeBruycker, Lee, Phillips, Hoffman, Zook, B. Brown, Farrell, Harp, Gage, T. Beck, Devlin, Nathe, Harding, Tveit, referred to Committee on Taxation

HB 851, introduced by Whalen, Menahan, Harrington, Lynch, Pipinich, Pavlovich, Gervais, G. Beck, Driscoll, McCarthy, Daily, Stimatz, Manning, referred to Committee on Judiciary

HB 852, introduced by Russell, Gervais, Blaylock, Yellowtail, Lee, J. Rice, Bradley, referred to Committee on Education and Cultural Resources

HB 853, introduced by Scott, Driscoll, Kimberley, Keating, Blaylock, Becker, McCulloch, T. Nelson, Whalen, Forrester, Fagg, Hager, Rye, R. Johnson, Towe, Kilpatrick, Southworth, Bengtson, Crippen, referred to Committee on Local Government

HB 854, introduced by Foster, T. Nelson, Thomas, referred to Committee on Business and Economic Development

HB 855, introduced by S. Rice, Blaylock, referred to Committee on Natural Resources

HB 856, introduced by Foster, Wanzenried, Koehnke, Devlin, referred to Committee on Taxation

HB 857, introduced by O'Keefe, Harper, Squires, Harrington, Jergeson, Pipinich, Mazurek, Driscoll, Cocchiarella, Strizich, D. Brown, Menahan, J. Brown, Quilici, McCarthy, Barnhart, Grady, Cobb, Daily, Brooke, Nisbet, Dowell, Pavlovich, Schye, Elliott, Kilpatrick, Peck, Ream, Becker, Doherty, J. Johnson, Wyatt, Kadas, McCulloch, Whalen, Galvin, Lynch, Measure, Bachini, Southworth, Darko, Madison, Gervais, Scott, Yellowtail, Van Valkenburg, Svreck, Jacobson, Waterman, Manning, Halligan, Blaylock, Fritz, G. Beck, Wanzenried, Dolezal, Towe, referred to Committee on Labor and Employment Relations

HB 858, introduced by Gilbert, Raney, Lee, J. Rice, Franklin, T. Beck, Vaughn, Doherty, Harding, referred to Committee on Natural Resources

HB 859, introduced by Dowell, Menahan, Harrington, McCarthy, Forrester, McCulloch, Peck, Davis, Squires, Dolezal, G. Beck, Quilici, Darko, Daily, Schye, Barnett, B. Brown, Blaylock, referred to Committee on Taxation

HB 860, introduced by Dowell, Schye, S. Rice, Lee, Measure, Eck, Boharski, Darko, Driscoll, Wanzenried, Toole, Russell, Hockett, Cohen, Forrester, Messmore, R. Johnson, Mercer, Kimberley, Bradley, Cocchiarella, G. Beck, Brooke, Gervais, Strizich, J. Brown, Raney, Elliott, O'Keefe, Spring, Connelly, referred to Committee on Human Services and Aging

HB 861, introduced by Swysgood, Stang, Feland, Svreck, Bruski, Aklestad, Jergeson, referred to Committee on Business and Economic Development

HB 862, introduced by Bradley, Blaylock, Keating (by request of the Department of Institutions), referred to Committee on Human Services and Aging

HB 863, introduced by D. Brown, Mazurek, Lynch, Thayer, Noble, Kennedy, Pavlovich, Daily, Fritz, Quilici, Whalen, Doherty, S. Rice, Phillips, Larson, Measure, referred to Committee on Business and Economic Development

HB 864, introduced by Gould (by request of the Department of Commerce), referred to Committee on Judiciary

HB 865, introduced by Driscoll, Squires, referred to Committee on Labor and Employment Relations

HB 866, introduced by D. Brown, Keating, referred to Committee on Natural Resources

HB 867, introduced by Gilbert, Wanzenried, referred to Committee on Highways and Transportation

HB 868, introduced by Steppler, referred to Committee on Taxation

HB 869, introduced by Simpkins, M. Hanson, Peterson, Kasten, Galvin, referred to Committee on Taxation

HB 870, introduced by R. Johnson, referred to Committee on Business and Economic Development

HB 871, introduced by Cody, referred to Committee on State Administration

HB 872, introduced by Cobb, referred to Committee on Judiciary

HB 873, introduced by Raney, referred to Committee on State Administration

HJR 31, introduced by Raney, Doherty, Gilbert, Grady, Driscoll, referred to Committee on Natural Resources

HJR 32, introduced by Russell, Yellowtail, Gervais, Franklin, Nathe, referred to Committee on Education and Cultural Resources

HJR 33, introduced by S. Rice, Messmore, Franklin, Galvin, Strizich, Doherty, Wyatt, Nisbet, Dolezal, Phillips, Thayer, Manning, referred to Committee on Business and Economic Development

HJR 34, introduced by Stickney, Wyatt, J. Rice, Wallin, Simpkins, Cromley, Hayne, Darko, Becker, McCaffree, Brooke, Barnett, Hansen, Dowell (by request of the House Committee on Local Government), referred to Committee on Local Government

The following Senate bills were introduced, read first time, and referred to committee:

SB 120, introduced by B. Brown, J. Rice, Blaylock, J. Johnson, referred to Committee on Education and Cultural Resources

SB 144, introduced by Mazurek, referred to Committee on Business and Economic Development

SB 148, introduced by Svrcek, Thomas, B. Brown, Harper, Raney, Measure, referred to Committee on Business and Economic Development

SB 174, introduced by Franklin, Kennedy, Williams, Strizich, Dowell, Pipinich (by request of the Board of Psychologists), referred to Committee on Human Services and Aging

SB 204, introduced by Gage (by request of the Board of Crime Control), referred to Committee on Judiciary

SB 220, introduced by Blaylock, Quilici, referred to Committee on Labor and Employment Relations

SB 241, introduced by Blaylock, referred to Committee on State Administration

MOTIONS

Representative Driscoll moved HB 488, HB 489, HB 490 and HB 491 be taken from the second reading board and rereferred to the Committee on Appropriations. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative L. Nelson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 377 - Representative Raney moved HB 377 do pass.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried. Representative Cobb moved HB 377, second reading copy, be amended as follows (amendment #1):

1. Page 10, line 8.

Following: "require"

Insert: "or that the department by order or rule may require"

2. Page 12, line 22.

Strike: "sources"

Insert: "methods"

3. Page 27, line 6.

Following: "Within"

Strike: "180"

Insert: "90"

4. Page 28, lines 7 through 9.

Strike: from "that" on line 7 through "originates" on line 9

Insert: "the solid waste disposal needs listed in [section 15(4)]"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney,

Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried,
Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Knox.
Total 1

Absent or not voting: Bardanouve.
Total 1

Representative Raney moved HB 377, as amended, do pass. Motion carried
as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict,
Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,
Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.
DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,
Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.
Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas,
Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch,
Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet,
O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice,
S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,
Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby,
Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, H. S. Hanson, Hoffman, Kasten, McCaffree.
Total 5

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HB 479 - Representative Hayne moved HB 479 do pass. Motion carried as
follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict,
Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,
Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker,
Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster,
Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson,
Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten,
Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch,
Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet,
O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice,
S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang,

Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt,
Zook, Mr. Speaker.
Total 89

Noes: Boharski, Cody, Cohen, S. J. Hansen, McCaffree, Scott, Steppler,
Wanzenried.
Total 8

Excused: Knox.
Total 1

Absent or not voting: Ellison, Whalen.
Total 2

HB 481 - Representative Wallin moved HB 481 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HB 513 - Representative Simpkins moved HB 513 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice,

S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bachini, J. DeBruycker, Elliott, Madison, Peck.

Total 5

Excused: Knox.

Total 1

Absent or not voting: Feland, Strizich.

Total 2

HB 515 - Representative Menahan moved consideration of HB 515 be passed for the day. Motion carried.

HB 516 - Representative Lee moved HB 516 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Knox.

Total 1

Absent or not voting: None.

Total 0

HB 551 - Representative O'Keefe moved HB 551 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.

Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel.
Total 1

Excused: Knox.
Total 1

Absent or not voting: Bradley, Lee.
Total 2

HB 29 - Representative Stepler moved HB 29, second reading copy, be amended as follows (amendment #1):

1. Page 2, lines 8 through 11.
Strike: "(A)" on line 8 through "IMPAIRED;" on line 11.
Renumber: subsequent subsections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Benedict.
Total 1

Excused: Knox, Swysgood, Thoft.
Total 3

Absent or not voting: Connelly, Dowell, H. S. Hanson, Lee, Spring.
Total 5

Representative Kimberley moved HB 29, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Cobb, Cohen, Elliott, Ellison, Measure, Phillips, Stang, Whalen.
Total 8

Excused: Knox, Swysgood, Thoft.
Total 3

Absent or not voting: Feland, Hayne.
Total 2

HB 47 - Representative Steppler moved HB 47, second reading copy, be amended as follows (amendment #1):

Page 2, line 7.
Following: "ا"
Insert: "or"

Page 2, line 10.
Strike: "ا"
Insert: "."

1. Page 2, lines 11 through 20.
Following: line 10
Strike: lines 11 through 20 in their entirety.

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Daily, Measure, Pavlovich, Whalen.
Total 4

Excused: Knox, Swysgood, Thoft.
Total 3

Absent or not voting: Elliott, Feland, Foster, Kadas.
Total 4

Representative Grady moved HB 47, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bachini, D. Brown, Cobb, Cohen, Driscoll, Elliott, Measure, Peck, Scott, Stang, Whalen.
Total 11

Excused: Knox, Swysgood, Thoft.
Total 3

Absent or not voting: Bardanouve, Lee.
Total 2

HB 230 - Representative Larson moved HB 230 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Knox, Thoft.
Total 2

Absent or not voting: Wyatt.
Total 1

HB 263 - Representative Driscoll moved HB 263 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Knox, Thoft.
Total 2

Absent or not voting: Harrington, Kasten, S. Rice, Wyatt.
Total 4

HB 305 - Representative J. Rice moved HB 305 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Boharski, Whalen.
Total 2

Excused: Knox.
Total 1

Absent or not voting: Clark.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman L. Nelson moved the adoption of the committee report. Report adopted. (92-2)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):
2/15/91

HB 587, introduced bill, do pass. Report adopted.
HB 725, introduced bill, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):
2/15/91

HJR 19, introduced bill, be amended as follows:

1. Page 3, line 7.

Following: line 6

Insert: "(2) including a method for citizen review of the disposal of any state park as an element of the study;"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):
2/15/91

HB 561, introduced bill, be amended as follows:

1. Title, line 5.

Following: "AND"

Insert: "EITHER THE"

Following: "NUMBER"

Insert: "OR THE DRIVER'S LICENSE NUMBER"

2. Page 1, line 23.

Following: "birth,"

Insert: "either the"

Following: "number"

Insert: "or the driver's license number"

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 874, introduced by Connelly, Quilici, Grady, referred to Committee on Taxation

HB 875, introduced by Whalen, McCarthy, O'Keefe, Ream, Pavlovich, G. Beck, Squires, Dolezal, Driscoll, Cocchiarella, Wanzenried, Southworth, Kilpatrick, referred to Committee on Labor and Employment Relations

HB 876, introduced by Wyatt, Squires, Strizich, J. Rice, Messmore, McCulloch, R. Johnson, Clark, Becker, Russell, D. Brown, Measure, Darko, Gould, Stickney, Lee, referred to Committee on Human Services and Aging

HB 877, introduced by Ream, Whalen, Crippen, Lynch, S. Rice, Van Valkenburg, Pavlovich, Fritz, T. Beck, D. Brown, Harrington, Daily, Larson, Toole, Squires, Quilici, Nisbet, Fagg, T. Nelson, referred to Committee on Taxation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 54 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Daily, Pavlovich, Schye.
Total 3

Excused: Knox.
Total 1

Absent or not voting: L. Nelson, Spring.
Total 2

HB 391 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.

Total 85

Noes: Barnett, Bergsagel, Boharski, Fagg, Feland, Gould, Kasten, T. Nelson, Peterson, Thoft, Whalen, Zook.

Total 12

Excused: Knox.

Total 1

Absent or not voting: Benedict, Spring.

Total 2

HB 404 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 91

Noes: Cocchiarella, Davis, Elliott, Measure, Russell, Whalen, Wyatt.

Total 7

Excused: Knox.

Total 1

Absent or not voting: S. J. Hansen.

Total 1

HB 424 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, Mercer, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 37

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HB 445 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Cobb, J. DeBruycker, Phillips, Wallin.
Total 5

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HB 450 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Phillips, Spring.

Total 2

Excused: Knox.

Total 1

Absent or not voting: Bardanoue, Cohen.

Total 2

HB 529 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Knox.

Total 1

Absent or not voting: None.

Total 0

HB 599 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Knox.

Total 1

Absent or not voting: Pavlovich, S. Rice.

Total 2

HB 367 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Knox.

Total 1

Absent or not voting: Boharski, S. J. Hansen.

Total 2

MOTIONS

Representative Driscoll moved HB 121 be taken from the Committee on Appropriations and rereferred to the Committee on Taxation. Motion carried.

Representative Whalen moved he be allowed to change his vote on HB 29, second reading, from yes to no. Motion carried.

Representative Hansen moved the rules be suspended to allow her to be recorded as voting yes on HB 424, third reading. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 9:00 a.m., Saturday, February 16, 1991. Motion carried.

House adjourned at 2:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 16, 1991

House Chambers
State Capitol

House convened at 9:05 a.m. Mr. Speaker in the Chair. Invocation by Representative Hansen. Pledge of Allegiance to the Flag.

Roll call. All members present except Knox, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/16/91
Correctly printed: HB 212, HB 271, HB 319, HB 461, HB 494, HB 506, HB 560, HB 561, HB 577, HB 587, HB 600, HB 605, HB 628, HB 663, HB 678, HB 725, HB 730, HB 734, HJR 18, HJR 19, HJR 22.
Correctly engrossed: HB 29, HB 47, HB 230, HB 263, HB 305, HB 377, HB 479, HB 481, HB 513, HB 516, HB 551.

APPROPRIATIONS (Bardanoue, Chairman): 2/15/91
HB 3, introduced bill, be amended as follows:

1. Page 2, line 4.
Following: line 3
Insert: "Judicial Standards Commission 1991 3,500 General Fund"
2. Page 2, line 7.
Following: "Control"
Strike: "&"
Strike: "263,423"
Insert: "165,490"
3. Page 2, line 8.
Following: "Management"
Insert: "1991 118,117 Proprietary"
4. Page 2, line 10.
Following: line 9
Insert: "Legal Services 1991 196,000 General Fund"
5. Page 2, line 18.
Following: line 17
Insert: "Fire Marshal Computer 1991 9,500 General Fund"
6. Page 2, line 21.
Following: line 20
Insert: "CRIME CONTROL DIVISION Crime Victims Compensation 1991 80,000 State Special"
7. Page 2, line 24.
Strike: "3,960,000"
Insert: "2,215,874"
8. Page 2, line 25.
Strike: "14,040,000"
Insert: "2,174,740"

9. Page 3, line 2.

Following: line 1

Insert: "Preconstruction 1991 150,000 State Special"

10. Page 3, line 4.

Strike: "15,681,172"

Insert: "23,133,652"

11. Page 3, line 6.

Strike: "220,984"

Insert: "270,320"

12. Page 3, line 11.

Following: "line 10"

Insert: "Public Employees' Retirement Division 1991 73,818 Trust
Account"

13. Page 3, line 13.

Following: line 12

Insert: "DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES
Natural Resource Damage Litigation 1991 270,000 State Special"

14. Page 3, line 14.

Strike: "1,349,986"

Insert: "2,339,886"

15. Page 3, line 15.

Strike: "150,536"

Insert: "135,825"

16. Page 3, line 16.

Strike: "4,233,009"

Insert: "4,030,629"

17. Page 3, line 17.

Strike: "141,222"

Insert: "209,870"

18. Page 3, line 19.

Strike: "292,905"

Insert: "433,610"

19. Page 3, line 20.

Following: line 19

Insert: "Family Assistance -- JOBS 1991 450,000 General Fund"

20. Page 3, line 20.

Strike: "5,298,087"

Insert: "7,502,699"

21. Page 3, line 21.

Strike: "18,960,382"

Insert: "26,045,092"

22. Page 3, line 22.

Strike: "1,100,000"

Insert: "1,558,034"

23. Page 4, line 7.

Strike: "244,169"

Insert: "224,169"

24. Page 4, line 10.

Strike: "27,883"

Insert: "48,583"

25. Page 4, line 16.

Strike: "2,517,108"

Insert: "3,599,161"

26. Page 4, line 17.

Following: line 16

Insert: "Weights and Measures 1991 13,527 General Fund"

27. Page 4, line 19.

Strike: "13,500"

Insert: "48,775"

28. Page 4, line 22.

Strike: "336,932"

Insert: "565,357"

29. Page 4, line 24.

Strike: "35,651"

Insert: "38,000"

30. Page 4, line 25.

Strike: "70,573"

Insert: "96,000"

31. Page 5, lines 7 and 8.

Strike: lines 7 and 8 in their entirety

Insert: "Upgrades 1991 13,400 General Fund"

32. Page 5, lines 16 and 17.

Strike: lines 16 and 17 in their entirety

Insert: "Eastern -- Liability Insurance 1991 106,011 General Fund"

33. Page 5, line 23.

Following: "1991"

Strike: "\$15,641,402"

Insert: "\$20,446,383"

34. Page 5, line 24.

Following: "1991"

Strike: "21,859,197"

Insert: "28,052,840"

35. Page 5, line 25.

Following: "1991"

Strike: "41,449,383"

Insert: "37,587,158"

36. Page 6, line 1.

Following: "1991"

Strike: "867,936"

Insert: "953,860"

37. Page 6, line 2.

Following: "1991"

Strike: "\$79,817,918"

Insert: "\$87,040,241"

38. Page 6, line 7.

Following: line 6

Insert: "(1) in paragraph 1: ~~"No funds may be transferred from these items to any other portion of the SRS budget."~~

(2) in paragraph 2:"

39. Page 6, line 9.

Following: on line 8

Insert: "(3) in paragraph 3: ~~"No funds may be transferred from these items to any other portion of the SRS budget."~~"

And, as amended, do pass. Report adopted.

HB 142, second reading copy, be amended as follows:

1. Page 1, line 9.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 2, line 22.

Following: line 21

Insert: "WHEREAS, the Legislature is vested with the exclusive authority to appropriate money; and"

3. Page 7, line 13.

Following: "1993,"

Strike: "\$66,000"

Insert: "\$13,500 for legislative travel costs and per diem and administrative support costs and \$40,000 for consultant costs"

4. Page 7, line 19.

Following: line 18

Insert: "NEW SECTION. Section 11. Termination. [This act] terminates July 1, 1993."

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/15/91

HB 258, introduced bill, be amended as follows:

1. Page 3, line 10.

Strike: "The"

Insert: "Except as regards household appliances, including but not limited to ranges, refrigerators, and water heaters, in a recreational vehicle, as defined in 61-1-132, and except as regards a truck rated at more than 10,000 pounds gross vehicle weight, the"

2. Page 3, line 18.

Following: "manuals"

Insert: "if the dealer uses the manual as the basis for computing charges for both warranty work and retail work"

And, as amended, do pass. Report adopted.

HB 261, introduced bill, be amended as follows:

1. Title, lines 10 and 11.

Following: "DISCRIMINATION;" on line 10

Strike: remainder of line 10 through "MCA;" on line 11

2. Page 1, lines 14 through 24.

Strike: statement of intent in its entirety

3. Page 3, lines 24 and 25.

Following: "interpretation" on line 24

Strike: remainder of line 24 through "(1)" on line 25

Insert: "."

4. Page 4, lines 8 through 14.

Strike: subsection (2) in its entirety

5. Page 4, line 24 through page 7, line 16.

Strike: sections 5, 6, 7, and 8 in their entirety

Insert: "NEW SECTION. Section 5. Recovery on illegal contracts forbidden. A contract, express or implied, made by a person in violation of the provisions of [section 1] is an illegal contract, and no recovery may be had on the contract.

NEW SECTION. Section 6. Injunctions -- damages -- production of evidence. (1) A person who is injured by a violation of [section 1] may maintain an action to enjoin a continuance of an act in violation of [section 1] and to recover damages. A court, upon finding that the defendant is violating or has violated the provisions of [section 1], shall enjoin the defendant from continuing the violation. It is not necessary to allege or prove actual damages to the plaintiff.

(2) In addition to injunctive relief, the plaintiff may recover from the defendant three times the amount of actual damages sustained plus attorney fees and costs of suit.

(3) A defendant in an action brought under this section may be required to testify under the Montana Rules of Civil Procedure. In addition, the books and records of a defendant may be brought into court and introduced into evidence by reference. Information so obtained may not be used against the defendant as a basis for a misdemeanor prosecution for a violation of [section 1].

NEW SECTION. Section 7. Penalties. A person, whether acting as a principal, agent, officer, or director, who violates a provision of [section 1] is guilty of a misdemeanor for each violation and upon conviction shall be fined not less than \$100 or more than \$1,000 or imprisoned for a term not to exceed 6 months, or both."

Renumber: subsequent sections

6. Page 7, lines 18 and 21.

Strike: "4"

Insert: "7"

7. Page 7, lines 19 and 20.

Strike: "part 2,"

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

2/15/91

HB 636, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

2. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2, line 6.

Following: "district."

Insert: "The contract for transportation of solid waste with a local government or a refuse disposal district is limited to movements between a state-licensed container system program or a transfer station owned by the local government or refuse disposal district and a licensed landfill."

4. Page 3, line 5.

Following: line 4

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 763, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "'AN ACT" on line 4

Strike: remainder of line 4 through "PROGRAM;" on line 5

2. Title, line 10.
Following: "MCA;"
Strike: "AND"

3. Title, lines 11 and 12.
Following: "MCA" on line 11
Strike: remainder of line 11 through "1989" on line 12
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

4. Page 8, line 22.
Following: "MCA,"
Strike: remainder of line 22
Insert: "is"

5. Page 9, line 3.
Following: line 2
Insert: "NEW SECTION. Section 10. Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 2/15/91
HB 439, introduced bill, be amended as follows:

1. Page 4, line 15.
Following: line 14
Insert: "NEW SECTION. Section 3. Coordination instruction. If Senate Bill No. 51 is passed and approved and if it includes a section that amends 46-12-204, then [section 2 of this act], amending 46-12-204, is void."

And, as amended, do pass. Report adopted.

HB 608, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "GRANTING QUASI-JUDICIAL"

2. Title, line 5.
Strike: "POWERS TO"
Insert: "AUTHORIZING"
Following: "COMMISSION"
Insert: "TO ORDER PENALTIES AGAINST RAILROADS AND OTHER COMMON CARRIERS TO BE PAID TO THE STATE, COMMUNITY, OR OTHER PARTY PROTECTED BY A LAW OR ORDER VIOLATED BY THE COMMON CARRIER"

3. Title, line 9.
Following: "CONTINUES;"
Strike: "AND"
Strike: "SECTIONS 69-1-102 AND"
Insert: "SECTION"

4. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

5. Page 1, lines 13 through 23.

Strike: section 1 in its entirety

Re-number: subsequent section

6. Page 2, line 6.

Strike: "it shall"

Insert: "the commission shall order it to"

7. Page 2, line 7.

Following: "state"

Insert: ", community, or other party protected by the law or commission order that was violated"

8. Page 2, line 9.

Following: line 8

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

2/15/91

HB 536, introduced bill, be amended as follows:

1. Title, line 6.

Following: "7-33-2401"

Strike: "AND"

Insert: ", "

Following: "7-33-2402,"

Insert: "AND 7-33-2404,"

2. Page 3, line 9.

Following: "(1)"

Insert: "(a)"

Strike: ", emergency medical,"

3. Page 3, line 10.

Following: ";"

Insert: ", "

Strike: "and adequate"

4. Page 3, line 13.

Strike: "(2)"

Insert: "(b)"

5. Page 3, line 14.

Following: "agency"

Insert: "; and"

(2) emergency medical services and equipment, licensed by the department of health and environmental sciences, and related personnel, facilities, and maintenance"

6. Page 3.

Following: line 14

Insert: "Section 3. Section 7-33-2404, MCA, is amended to read:

"7-33-2404. Financing of fire service area -- fee on structures. (1) In the resolution creating the fire service area and by resolution as necessary thereafter, the board of county commissioners shall establish a schedule of rates to be charged owners of structures that are benefitted by the ~~fire~~ services offered by the fire service area.

(2) The rates must be applied on a fair and equal basis to all classes of structures benefitted by the fire service area.

(3) The board of county commissioners shall collect the funds necessary to operate the fire service area by charging the area rate as a special assessment on the owners of structures and collect the assessments with the general taxes of the county. The assessments are a lien on the property so assessed.

(4) The board of county commissioners or the trustees, if the fire service area is governed by trustees under 7-33-2403, may pledge the income of the fire service area to secure financing necessary to procure ~~fire~~ equipment and buildings to house ~~fire~~ the equipment. The outstanding amount of such indebtedness may not exceed 7% of the taxable valuation of the area.""

And, as amended, do pass. Report adopted.

HB 602, introduced bill, be amended as follows:

1. Title, line 4.

Following: "THAT"

Insert: ", WITH RESPECT TO TAX AND FEE MONEY,"

2. Title, line 5

Following: "OF"

Insert: "AND THE NUMBER OF MILLS TO BE ASSESSED BY"

3. Title, line 6.

Following: "BY"

Strike: "THE COUNTY COMMISSIONERS IS"

Insert: "A LOCAL GOVERNMENT ARE"

4. Title, line 7.

Following: "BY"

Strike: "THE COUNTY COMMISSIONERS"

Insert: "THAT LOCAL GOVERNMENT"

5. Page 1, line 12.

Strike: "The"

Insert: "With respect to tax and fee money, the"

Following: "of"

Insert: "and the number of mills to be assessed by"

6. Page 1, line 13.

Strike: "the"

Insert: "a"

7. Page 1, line 14.

Strike: "county commissioners is"

Insert: "local government are"

Following: "by"

Strike: "the county"

8. Page 1, line 15.

Strike: "commissioners"

Insert: "that local government"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/15/91

HB 357, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "even-numbered"

Insert: "odd-numbered"

And, as amended, do pass. Report adopted.

HB 500, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "of"

Strike: "."

2. Page 1, line 16.

Strike: "(a)"

3. Page 1, line 18.

Following: "instruction,"

Strike: "and"

Following: "auditor,"

Insert: "state architect, and the director of the Montana historical society,"

4. Page 1, line 19.

Strike: "; and"

Insert: ". Each ex officio member may appoint"

5. Page 1, line 20.

Strike: "(b)"

Strike: "20"

Insert: "two"

6. Page 1, lines 23 and 24.

Following: "and the"

Strike: the remainder of line 23 through "state" on line 24
Insert: "director of the department of administration"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/15/91

HB 14, introduced by Peck
HB 22, introduced by Cody
HB 318, introduced by Kadas
HB 323, introduced by Driscoll
HB 373, introduced by O'Keefe

House bills concurred in as amended and returned to the House for
concurrence in Senate amendments: 2/15/91

HB 148, introduced by Toole
HB 225, introduced by Phillips
HB 231, introduced by Cobb

Senate bills passed and transmitted to the House for concurrence:
2/15/91

SB 44, introduced by B. Brown
SB 109, introduced by Svrcek
SB 178, introduced by Williams
SB 225, introduced by Gage
SB 238, introduced by Crippen
SB 251, introduced by Gage
SB 262, introduced by Williams
SB 263, introduced by Williams
SB 273, introduced by Swift

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper February 15, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 48, 89, 126, 243 and 181
on February 15, 1991.

Sincerely,

STAN STEPHENS
Governor

February 15, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 3, "~~AN ACT REMOVING~~ EXTENDING THE SUNSET PROVISIONS MAKING OF THE AGRICULTURAL ASSISTANCE PROGRAM TEMPORARY; AMENDING SECTION 8, CHAPTER 269, LAWS OF 1989; ~~REPEALING SECTION 5, CHAPTER 269, LAWS OF 1989~~; AND PROVIDING AN EFFECTIVE DATE." This amendatory veto is made for the following reasons.

Under Section 8, Chapter 269, Laws of 1989, the Agricultural Assistance Program will terminate on July 1, 1991. Senate Bill 3, which extends this termination date would, as adopted, also take effect on July 1, 1991. As a legal matter it is unclear whether the existing termination of the program or Senate Bill 3 would take effect first on July 1, 1991. However, if the existing termination were to take effect first, Senate Bill 3 could be nullified.

My amendments would avoid this possibility by making Senate Bill 3 effective on passage and approval. The bill's sponsor, Senator Dennis Nathe, and the Legislative Council concur with this amendment. I urge your concurrence as well.

I am also concerned about the lack of appropriations for this legislation. To date, the legislature has not appropriated approximately \$130,000 of general fund monies necessary for the operation of the program. This appropriation was not included in the Executive Budget because the program was to sunset July 1, 1991. Collection of fees for services provided by the program, which is projected at \$50,000 is, according to the Department of Agriculture, tenuous at best.

I call this shortcoming to your attention.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS TO
SENATE BILL 3
(Reference Copy As Amended)
February 15, 1991

1. Title, line 9.

Following: "AN"

Insert: "IMMEDIATE"

2. Page 1, line 22.

Following: "effective"

Strike: "July 1, 1991"

Insert: "on passage and approval"

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 878, introduced by O'Keefe, Bianchi, Benedict, Dolezal, Southworth, Peck, Waterman, Harper, Thomas, Wanzenried, Driscoll, Foster, Whalen, referred to Committee on Taxation

HB 879, introduced by Harrington, Pavlovich, Manning, Pipinich, Quilici, McCarthy, Daily, D. Brown, referred to Committee on Appropriations

HB 880, introduced by Ellis, Zook, G. Beck, referred to Committee on Natural Resources

HB 881, introduced by R. Johnson, Jacobson (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

HB 882, introduced by Russell, Gervais, Whalen, Squires, Driscoll, Yellowtail, Kimberley, referred to Committee on Labor and Employment Relations

HB 883, introduced by R. DeBruycker, Bergsagel, Spring, Zook, M. Hanson, L. Nelson, Stepler, R. Johnson, Hockett, Peck, Bachini, Nathe, Harding, Devlin, referred to Committee on Taxation

HB 884, introduced by Nisbet, Connelly, Galvin, Wyatt, S. Rice, Dolezal, Strizich, Manning, Doherty, Franklin, Phillips, Thayer, Messmore, referred to Committee on Taxation

HB 885, introduced by Nisbet, Connelly, Galvin, Wyatt, S. Rice, Dolezal, Strizich, Manning, Doherty, Franklin, Phillips, Thayer, Messmore, referred to Committee on Taxation

HB 886, introduced by Lee, B. Brown, Messmore, Whalen, Dolezal, Boharski, O'Keefe, Fagg, R. Johnson, Driscoll, Squires, Pavlovich, G. Beck, M. Hanson, Southworth, Van Valkenburg, Thomas, Benedict, D. Brown, Kasten, Cocchiarella, Hoffman, Simpkins, Clark, Keller, Stickney, Cobb, Darko, J. Rice, Becker, Wyatt, R. Johnson, Hayne, Barnett, Gilbert, Peterson, Foster, Harper, Cody, Gould, T. Nelson, R. DeBruycker, Mercer, Nisbet, Stepler, Menahan, Scott, referred to Committee on Taxation

HB 887, introduced by Whalen, Toole, referred to Committee on Judiciary

HB 888, introduced by L. Nelson, Nathe, referred to Committee on Agriculture, Livestock, and Irrigation

HB 889, introduced by O'Keefe, Bianchi, Kadas, Raney, Yellowtail, Southworth, Harper, Barnhart, Measure, Kimberley, Driscoll Doherty, Cohen, Eck, Strizich, Ream, Dowell, Fritz, Bardanouve, Hockett, Weeding, Peck, Kennedy, referred to Committee on Natural Resources

HB 890, introduced by S. Rice, referred to Committee on Human Services and Aging

HB 891, introduced by Stickney, Towe, Ream, Harper, Weeding, Rea, Yellowtail, Brooke, referred to Committee on Natural Resources

HB 892, introduced by Brooke, Bianchi, Raney, Doherty, Kadas, Measure, Svrcek, Weeding, Dowell, Yellowtail, Schye, referred to Committee on State Administration

The following Senate bills were introduced, read first time, and referred to committee:

SB 44, introduced by B. Brown, referred to Committee on Highways and Transportation

SB 109, introduced by Svrcek, Schye, Foster, Koehnke, Weeding, T. Beck, Jergeson, O'Keefe, referred to Committee on Highways and Transportation

SB 178, introduced by Williams, Weeding, Tveit, Noble, T. Beck, Devlin, Wanzenried, Gilbert, referred to Committee on Highways and Transportation

SB 225, introduced by Gage (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources

SB 238, introduced by Crippen, Jacobson, T. Nelson, Towe, Peck, Fritz, Driscoll, Hager, Swysgood, McCarthy, Jergeson, Mazurek, Van Valkenburg, Bradley, Keating, Bengtson, Tveit, Halligan, Kadas, Wallin, Zook, Cromley, R. Johnson, Forrester, Dowell, Nathe, Thomas, referred to Committee on Taxation

SB 251, introduced by Gage (by request of the Department of Justice), referred to Committee on State Administration

SB 262, introduced by Williams, Knox, Grinde, referred to Committee on Taxation

SB 263, introduced by Williams, Knox, Grinde, referred to Committee on Taxation

SB 273, introduced by Swift, Farrell, Swysgood, Williams, Wanzenried, Svrcek, Harp, referred to Committee on Taxation

MOTIONS

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of LC 1190. Motion carried.

Representative Schye moved HB 582 be taken from the second reading board and rereferred to the Committee on Education and Cultural Resources. Motion carried.

Representative Kadas moved consideration of HB 515 be passed until the 41st legislative day. Motion carried.

Representative Grinde moved consideration of HJR 11 and HB 563 be passed for the day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 306 - Representative Barnett moved HB 306, second reading copy, be amended as follows (amendment #1):

1. Title, line 5.

Following: "SCHOOLS"

Insert: ", PARKS, OR PLAYGROUNDS"

2. Page 3, line 20.

Following: "SCHOOL"

Insert: ", park, or playground"

3. Page 3, line 21.

Following: "THAN"

Strike: "80%"

Insert: "70%"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Cohen.

Total 2

Excused: Knox.

Total 1

Absent or not voting: Cromley, Southworth, Steppler.

Total 3

Representative Barnett moved HB 306, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergsagel, Cohen, Elliott, Larson, Measure, O'Keefe, Stang.

Total 7

Excused: Knox.

Total 1

Absent or not voting: Bardanouve, Cromley, S. Rice, Stepler.

Total 4

HB 336 - Representative Simpkins moved HB 336, second reading copy, be amended as follows (amendment #1):

1. Page 2, lines 4 through 7.

Following: "assessed" on line 4

Strike: remainder of line 4 through "due" on line 7

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Knox.

Total 1

Absent or not voting: Becker, Cromley, Steppler.
Total 3

Representative Simpkins moved HB 336, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, Cohen, Daily, Gilbert, Measure, L. Nelson, O'Keefe, Pavlovich, J. Rice, Steppler.
Total 10

Excused: Cromley, Knox.
Total 2

Absent or not voting: None.
Total 0

HB 342 - Representative Wanzenried moved HB 342 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Grinde, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt.
Total 65

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Lee, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Thomas, Tunby, Wallin, Zook.
Total 33

Excused: Knox.
Total 1

Absent or not voting: Mr. Speaker.
Total 1

HB 359 - Representative Harper moved HB 359 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, Clark, Forrester, Grinde, H. S. Hanson, Hoffman, Stang, Stepler, Thomas.
Total 9

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HB 390 - Representative Ream moved HB 390 do pass.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cobb moved HB 390, second reading copy, be amended as follows (amendment #1):

1. Page 6, line 23.
Following: "The department"
Insert: "
(a)"

2. Page 7, line 1.
Following: "disease"
Strike: "."
Insert: ";"
Following: line 1.

Insert: "(b) shall develop rules to manage and reduce the number of wild buffalo or bison that leave Yellowstone park due to insufficient food to sustain the herds in the park; and
(c) may kill wild buffalo or bison that leave Yellowstone park that are starving or may starve in their weakened condition."

Amendment #1 passed as follows:

Ayes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, McCaffree, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Scott, Simpkins, Spring, Squires, Stang, Stepler, Swysgood, Thoft, Thomas, Zook.

Total 51

Noes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Ellison, Galvin, Gervais, Gilbert, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, O'Keefe, Peck, Raney, Ream, Russell, Schye, Southworth, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 47

Excused: Knox.

Total 1

Absent or not voting: Wyatt.

Total 1

Representative Ream moved HB 390, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Darko, Davis, Dolezal, Dowell, Elliott, Ellison, Gervais, Gilbert, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, Measure, Messmore, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Whalen, Wyatt, Mr. Speaker.

Total 46

Noes: Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Cromley, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Knox, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Tunby, Wallin, Wanzenried, Zook.

Total 53

Voted Absentee: Knox, No.

Excused: None.

Total 0

Absent or not voting: Toole.

Total 1

HB 425 - Representative Stickney moved HB 425 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Knox.

Total 1

Absent or not voting: None.

Total 0

HB 428 - Representative Mercer moved HB 428, second reading copy, be amended as follows (amendment #1):

1. Title, lines 11 and 12.

Following: "CENTER;"

Strike: remainder of line 11 through "BY" on line 12

Insert: "REQUIRING APPROVAL OF"

2. Page 3, lines 21 and 22.

Following: "institution"

Strike: "or" on line 21 through "period" on line 22

3. Page 3, line 25.

Following: "notice"

Strike: remainder of line 25 through "placement."

Insert: "to disapprove of the intended placement. In the event the court disapproves of the placement, it shall order a hearing to be held within 15 days and shall at that time impose its sentence."

4. Page 6, line 5.

Page 6, line 21.

Following: "institutions"

Insert: "and approved by the court"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 92

Noes: Cohen, Measure, Toole.
Total 3

Excused: Knox.
Total 1

Absent or not voting: D. Brown, Driscoll, Gilbert, Mr. Speaker.
Total 4

Representative Gould moved HB 428, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: McCaffree, Peck.
Total 2

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HB 432 - Representative Cody moved HB 432 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Brooke, Clark, Feland, R. Johnson, Kadas, McCaffree, T. Nelson, Peck.

Total 8

Excused: Knox.

Total 1

Absent or not voting: Whalen.

Total 1

HB 467 - Representative Lee moved HB 467 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: D. Brown, Cohen, Driscoll, Menahan, Southworth, Stepler.

Total 6

Excused: Knox.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 521 - Representative Dolezal moved HB 521 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HB 585 - Representative Nisbet moved HB 585 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Knox.
Total 1

Absent or not voting: Bradley, Strizich.
Total 2

HB 610 - Representative Bradley moved HB 610 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cohen.

Total 1

Excused: Knox.

Total 1

Absent or not voting: None.

Total 0

Representative Grinde in the Chair at this time.

HB 613 - Representative Ellison moved HB 613 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, Brooke, Cody, J. DeBruycker, Lee, Russell.

Total 6

Excused: Knox.

Total 1

Absent or not voting: Cohen, H. S. Hanson, J. Johnson.
Total 3

HB 622 - Representative Swysgood moved HB 622 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 95

Noes: O'Keefe, Wyatt.
Total 2

Excused: Knox.
Total 1

Absent or not voting: D. Brown, Driscoll.
Total 2

HB 635 - Representative Mercer moved HB 635, second reading copy, be amended as follows (amendment #1):

1. Page 7, line 15.

Strike: "The"

Insert: "If the"

2. Page 7, line 17.

Following: "individual,"

Strike: "who is authorized"

Insert: "contains written authorization"

3. Page 7, line 18.

Following: "treatment"

Insert: ","

4. Page 7, line 19.

Strike: "constitutes"

Insert: "that designation or appointment constitutes,"

Following: "part"

Insert: ","

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Knox.
Total 1

Absent or not voting: Gilbert.
Total 1

Representative Measure moved HB 635, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski, Gilbert, Lee, Peck, J. Rice, Wallin.
Total 6

Excused: Knox.
Total 1

Absent or not voting: Feland.
Total 1

HB 648 - Representative Wanzenried moved HB 648 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: R. DeBruycker, Feland, Hayne, J. Johnson, Kasten, Stepler.
Total 6

Excused: Knox.
Total 1

Absent or not voting: Ellison.
Total 1

HJR 12 - Representative Grady moved HJR 12 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Knox.
Total 1

Absent or not voting: None.
Total 0

HJR 13 - Representative Connelly moved HJR 13 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: R. Johnson.

Total 1

Excused: Knox.

Total 1

Absent or not voting: R. DeBruycker, Kimberley, Strizich.

Total 3

HJR 16 - Representative Gervais moved HJR 16 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Knox.

Total 1

Absent or not voting: Harrington.

Total 1

SB 90 - Representative Lee moved SB 90 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Boharski, R. DeBruycker, Grinde, R. Johnson.

Total 4

Excused: Knox.

Total 1

Absent or not voting: Cobb, Feland, Gould, Menahan, L. Nelson, T. Nelson, Phillips, Thomas.

Total 8

SB 37 - Representative Strizich moved SB 37 be placed below SB 56 on the second reading board. Motion carried.

SB 59 - Representative Strizich moved SB 59 be placed at the top of the second reading board. Motion carried.

Representative Russell moved SB 59 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: R. DeBruycker, McCaffree, L. Nelson, Stepler.

Total 4

Excused: Knox.

Total 1

Absent or not voting: Ellis, Ellison, Peck, Simpkins, Stang.

Total 5

SB 38 - Representative Russell moved SB 38 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 92

Noes: Benedict, L. Nelson, Peck, Steppler, Zook.

Total 5

Excused: Knox.

Total 1

Absent or not voting: Ellison, Kasten.

Total 2

SB 56 - Representative Strizich moved SB 56 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Stickney, Aye.

Excused: Knox.

Total 1

Absent or not voting: Bachini, Bergsagel, Forrester, Stepler.

Total 4

SB 37 - Representative J. Rice moved SB 37 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Benedict, Bergsagel, Ellison, Feland, Spring, Thoft, Wallin.

Total 7

Voted Absentee: Stickney, Aye.

Excused: Knox.

Total 1

Absent or not voting: None.

Total 0

SJR 2 - Representative Strizich moved SJR 2 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bergsagel.
Total 1

Voted Absentee: Stickney, Aye.

Excused: Knox.
Total 1

Absent or not voting: Clark, McCarthy, Swysgood.
Total 3

HB 90 - Representative Cobb moved HB 90 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Knox, Schye, Stickney.
Total 3

Absent or not voting: Clark, Toole, Wallin.
Total 3

HB 360 - Representative Harper moved HB 360 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin,
Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Foster, Gervais, Steppler.
Total 4

Excused: Knox, Schye, Stickney.
Total 3

Absent or not voting: D. Brown, J. DeBruycker, Whalen.
Total 3

HB 361 - Representative Harper moved HB 361 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Scott, Simpkins, Southworth, Spring, Squires, Stang, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, Gervais, Russell, Steppler.
Total 4

Excused: Knox, Schye, Stickney.
Total 3

Absent or not voting: Strizich, Whalen.
Total 2

Representative Swysgood resumed the Chair at this time.

HB 420 - Representative J. Rice moved HB 420 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck,

Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Cody, Knox, Schye, Stickney.

Total 4

Absent or not voting: Cocchiarella, Thoft.

Total 2

HB 485 - Representative Raney moved HB 485 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Spring, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bergsagel, Boharski, J. DeBruycker, R. DeBruycker, Feland, M. Hanson, Hayne, Kasten, McCaffree, Phillips, Steppler.

Total 11

Excused: Cody, Knox, Schye, Stickney.

Total 4

Absent or not voting: D. Brown, Cohen, Driscoll, Peterson, Simpkins, Squires.

Total 6

HB 493 - Representative Cohen moved HB 493 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell,

Scott, Simpkins, Southworth, Spring, Squires, Stang, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 77

Noes: Benedict, R. DeBruycker, Ellis, Ellison, Feland, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, T. Nelson, J. Rice, Stepler, Stickney, Zook.
Total 16

Voted Absentee: Stickney, No.

Excused: Cody, Knox, Schye.
Total 3

Absent or not voting: J. Brown, Clark, Pavlovich, Thoft.
Total 4

HB 534 - Representative Spring moved HB 534 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, Cobb, Cocchiarella, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stepler, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: J. Johnson, O'Keefe, Stang.
Total 3

Excused: Cody, Knox, Schye, Stickney.
Total 4

Absent or not voting: D. Brown, J. Brown, Clark, Cohen, Connelly, Driscoll, S. J. Hansen, Spring, Thoft.
Total 9

HB 537 - Representative Harper moved HB 537 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree,

McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Kasten, Steppler.

Total 3

Excused: Clark, Cody, Knox, Schye, Stickney.

Total 5

Absent or not voting: None.

Total 0

HB 552 - Representative Cromley moved HB 552 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: R. DeBruycker.

Total 1

Excused: Clark, Cody, Knox, Schye, Stickney.

Total 5

Absent or not voting: Bardanouve, Forrester.

Total 2

HB 562 - Representative Cohen moved HB 562 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson,

Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Benedict, R. DeBruycker, McCaffree.
Total 3

Excused: Clark, Cody, Knox, Schye, Stickney.
Total 5

Absent or not voting: Spring.
Total 1

HB 580 - Representative Harrington moved HB 580 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Clark, Knox, Schye, Stickney.
Total 4

Absent or not voting: None.
Total 0

HB 591 - Representative Southworth moved HB 591 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney,

Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Barnett, Benedict, Bergsagel, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, Kasten, Keller, Lee, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 29

Excused: Clark, Knox, Schye, Stickney.
Total 4

Absent or not voting: None.
Total 0

HJR 14 - Representative Connelly moved HJR 14 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Clark, Knox, Schye, Stickney.
Total 4

Absent or not voting: Gilbert, Kadas.
Total 2

HJR 17 - Representative Larson moved HJR 17 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy,

McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Ellison, Feland, Keller, Spring.
Total 4

Excused: Clark, Knox, Schye, Stickney.
Total 4

Absent or not voting: D. Brown, Driscoll.
Total 2

SB 161 - Representative Gilbert moved SB 161 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Stickney, Aye.

Excused: Clark, Knox, Schye.
Total 3

Absent or not voting: None.
Total 0

SJR 7 - Representative Mercer moved SJR 7 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S.

J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: Grinde, Peck, Peterson, J. Rice, Zook.
Total 5

Excused: Clark, Knox, Schye, Stickney.
Total 4

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report.

Representative Ream made a substitute motion HB 390 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (56-41)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 288 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bardanouve, McCaffree, Peck, Whalen.
Total 4

Voted Absentee: Schye, Stickney, Ayes.

Excused: Clark, Knox.

Total 2

Absent or not voting: Gervais.

Total 1

HB 378 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Ream, J. Rice, Scott, Southworth, Spring, Stang, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Bardanouve, Barnhart, Bradley, Brooke, D. Brown, Cody, Cromley, Elliott, Feland, S. J. Hansen, Hoffman, Kadas, Madison, Measure, L. Nelson, T. Nelson, Peterson, Raney, S. Rice, Russell, Schye, Simpkins, Squires, Stepler, Stickney, Swysgood, Thoft, Whalen.

Total 28

Voted Absentee: Schye, Stickney, Noes.

Excused: Clark, Knox.

Total 2

Absent or not voting: None.

Total 0

HB 405 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Larson, Lee, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 79

Noes: Bardanouve, J. Brown, Cobb, Cocchiarella, Dolezal, Driscoll, Ellison, Kimberley, Madison, McCulloch, Nisbet, O'Keefe, J. Rice, Scott, Stepler, Thomas, Tunby, Mr. Speaker.

Total 18

Voted Absentee: Schye, Stickney, Ayes.

Excused: Clark, Knox.

Total 2

Absent or not voting: J. DeBruycker.

Total 1

HB 448 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Schye, Stickney, Ayes.

Excused: Clark, Knox.

Total 2

Absent or not voting: Dolezal.

Total 1

MOTIONS

Representative Zook moved he be allowed to change his vote on HJR 16, second reading, from no to yes. Motion carried.

Representative Peck moved SB 37 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):

2/15/91

HB 682, introduced bill, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/16/91

HB 436, introduced bill, be amended as follows:

1. Page 1, line 8.

Following: "20-7-461,"

Insert: "20-9-321,"

2. Page 4, line 23.

Following: "impairment"

Insert: ", including deafness"

3. Page 8, line 11.

Following: "diabetes"

Insert: ", that adversely affects a child's educational performance"

4. Page 16.

Following: line 3

Insert: "Section 8. Section 20-9-321, MCA, is amended to read:

"20-9-321. Foundation program and contingency funds for special education. (1) For the purpose of establishing the foundation program amount for a current year special education program for a school district, the superintendent of public instruction shall determine the total estimated cost of the special education program for the school district on the basis of a special education program budget submitted by the district. The budget must be prepared on forms provided by the superintendent of public instruction and must set out for each program:

(a) the estimated allowable costs associated with operating the program where allowable costs are as defined in 20-7-431;

(b) the number of pupils expected to be enrolled in the program; and

(c) any other data required by the superintendent of public instruction for budget justification purposes and to administer the provisions of 20-9-315 through 20-9-321.

(2) The total amount of allowable costs approved by the superintendent of public instruction is the special education foundation program amount for current year special education program purposes. The total amount of allowable costs that are approved for the special education budget may not, under any condition, be less than the foundation program amount for one regular ANB for each full-time special pupil in the school district.

(3) Any amount of the special education allowable costs for a district approved under the provisions of subsection (2) that is an increase in the approved allowable costs from the previous school fiscal year and is a result of expanded programs or recalculations of the special education allowable costs base may be deposited and managed in the separate account of the miscellaneous programs fund of the district that is prescribed in subsection (4).

(4) If a special education program is implemented or expanded during a given school term too late to be included in the determination of the district foundation program for the school year as prescribed in this part, allowable costs approved under the budgeting provisions of subsections (1) and (2) for the operation of the program during the given year must be funded from any legislative appropriation for contingency financing for special education. Contingency funds granted under this subsection must be deposited in a separate account of the miscellaneous programs

fund of the district as provided in 20-9-507. However, if contingency funds are not available, then subject to the approval of the program by the superintendent under the emergency budget provisions of 20-9-161(5), allowable costs for the given year may be added to the foundation program amount for special education for the subsequent school year. The allowable costs must be recorded as previous year special education expenses in the school district budget for the subsequent school year.

(5) (a) The special education contingency funds in subsection (4):

(i) are biennially appropriated;

(ii) are for emergencies that may arise in the special education programs of school districts or special education cooperatives; and

(iii) may be used to fund positions that have gone unfilled for a full school fiscal year and for which state special education funds were not awarded.

(b) The board of trustees of a district or the management board of a special education cooperative may apply for contingency funding by submitting to the superintendent of public instruction, in the form prescribed by the superintendent of public instruction, written documentation that describes the need for the funds.

(4)(6) The sum of the previous year special education expenses as defined in subsections (3) and (4) and the foundation program amount for current year special education as defined in subsections (1) and (2) is the special education budget for accounting purposes.

(5)(7) The foundation program amount for special education must be added to the foundation program amount of the regular program ANB defined in 20-9-311 and 20-9-313 to obtain the total foundation program amount for the district."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 507, introduced bill, do pass. Report adopted.

HB 654, introduced bill, be amended as follows:

1. Title, line 7.

Following: "CERTIFICATION;"

Insert: "TO REMOVE UNCONSTITUTIONAL LANGUAGE REGARDING AGE DISCRIMINATION FOR TEACHER CERTIFICATION;"

2. Page 1, line 14 and 15.

Following: "older"

Strike: remainder of line 14 through "age" on line 15

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

2/16/91

HB 192, introduced bill, do pass. Report adopted.

HB 309, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "1/2"

Insert: "1/8"

2. Page 4, line 6.

Following: "cost"

Insert: ", to repair areas developed by this program that are damaged by off-highway vehicles,"

3. Page 4, line 9.

Following: " "

Insert: "Up to 10% of the money deposited in the off-highway vehicle account may be used to repair areas developed by this program that are damaged by off-highway vehicles."

4. Page 4, line 12.

Strike: "1/2"

Insert: "1/8"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/16/91

HB 260, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "ON"

Insert: "TO"

2. Title, line 8.

Strike: "BASIS"

Insert: "EXTENT"

Strike: "OTHER DEPENDENTS"

Insert: "FOR NATURAL CHILDREN OF THE INSURED"

Strike: "AN"

Insert: "A NEWBORN"

3. Page 1, line 21.

Strike: "on"

Insert: "to"

Strike: "basis"

Insert: "extent"

4. Page 1, line 22.

Strike: "other dependents"

Insert: "for natural children of the insured or subscriber"

5. Page 2, line 2.

Following: "Coverage"

Insert: "for newborn infants as provided in 33-22-301 and 33-22-504"

6. Page 2, lines 5 and 6.

Strike: "in the physical custody of the adoptive parent"

Insert: "placement for adoption as defined in 40-8-103"

7. Page 2, line 12.

Strike: "on"

Insert: "to"

8. Page 2, line 13.

Strike: "basis"

Insert: "extent"

Strike: "other dependents"

Insert: "for natural children of the member"

9. Page 2, line 18.

Following: "Coverage"

Insert: "for newborn infants as provided in 33-30-1001"

10. Page 2, lines 21 and 22.

Strike: "in the physical custody of the adoptive parent"

Insert: "placement for adoption as defined in 40-8-103"

11. Page 3, line 2.

Strike: "on"

Insert: "to"

Strike: "basis"

Insert: "extent"

Strike: "other dependents"

Insert: "for natural children of the enrollee"

12. Page 3, line 7.

Following: "Coverage"

Insert: "for newborn infants as provided in 33-31-102(1)(e)"

13. Page 3, lines 10 and 11.

Strike: "in the physical custody of the adoptive parent"

Insert: "placement for adoption as defined in 40-8-103"

And, as amended, do pass. Report adopted.

HB 545, introduced bill, do pass. Report adopted.

HB 548, introduced bill, do pass. Report adopted.

HB 596, introduced bill, do pass. Report adopted.

HJR 21, introduced bill, be amended as follows:

1. Page 2, line 14.

Following: "services"

Insert: "can"

Strike: "the best"

Insert: "an excellent alternative"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/16/91

HB 380, introduced bill, be amended as follows:

1. Title, lines 4 through 6.

Following: "REQUIRE" on line 4.

Strike: the remainder of lines 4 and 5 through "SUBSTANCES" on line 6

Insert: "IMMEDIATE ACTION TO CONTAIN, REMOVE, AND ABATE A
RELEASE OF A HAZARDOUS OR DELETERIOUS SUBSTANCE AT
CERTAIN SITES"

2. Title, line 9.

Following: line 8

Strike: "75-10-701,"

3. Page 4, lines 21 and 22.

Following: "formation" on line 21.

Strike: the remainder of line 21 through "use" on line 22

4. Page 5, lines 5 through 8.

Following: "shall" on line 5.

Strike: the remainder of subsection (2) in its entirety

Insert: "establish and implement a system for prioritizing sites for remedial
action based on potential effects on human health and the
environment."

5. Page 5, lines 16 and 17.

Following: "present" on line 16.

Insert: "to cause pollution of an aquifer: (i)"

Following: "at a"

Insert: "national priority list"

Following: "site"

Strike: "regulated under"

Insert: "as defined by"

6. Page 5, line 19.

Following: "96-510"

Strike: ", to cause pollution of an aquifer"

Insert: "; and

(ii) where mining has left an abandoned open pit as
described in 82-4-336(5)"

7. Page 6, line 24 through page 11, line 22.

Strike: section 5 in its entirety

Renumber: subsequent sections

8. Page 12, lines 9 through 14.

Following: "shall" on line 9.

Strike: the remainder of subsection (2) in its entirety

Insert: "require any person liable under 75-10-715(1) to take immediate
action to contain, remove, and abate a release of a hazardous or
deleterious substance at a site described in 75-5-605(1)(b)."

And, as amended, do pass. Report adopted.

HB 586, introduced bill, do pass. Report adopted.

HB 607, introduced bill, be amended as follows:

1. Page 2, line 6.

Following: "well."

Insert: "It is also the intent of the legislature that the department develop a risk assessment-based definition of the term "negligible risk" as used in 75-2-215(2)(c)."

2. Page 3, line 13.

Strike: "and"

3. Page 3, line 19.

Following: "environment"

Insert: "; and

(c) the department has reached a determination that the projected emissions and ambient concentrations will constitute a negligible risk to the public health, safety, and welfare and to the environment"

And, as amended, do pass. Report adopted.

HB 639, introduced bill, do pass. Report adopted.

HB 660, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AN INDIVIDUAL"

Insert: "A PERSON"

2. Title, line 7.

Strike: "INDIVIDUAL'S"

Insert: "PERSON'S"

3. Page 1, line 15.

Following: "(1)"

Insert: "(a)"

4. Page 1, line 21.

Following: "hazard"

Insert: "or violate the laws governing the disposal of hazardous or deleterious substances.

(b) This part does not apply to the operation of an electric generating facility, to the drilling, production, or refining of natural gas or petroleum, or to the operation of a mine, mill, smelter, or electrolytic reduction facility"

5. Page 1, line 22.

Strike: "exclusion"

Insert: "exclusions"

6. Page 1, line 23.

Strike: "does"

Insert: "do"

7. Page 1, line 24.

Strike: "which"

Insert: "that"

And, as amended, do pass. Report adopted.

HB 670, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 893, introduced by Kasten, Tveit, Devlin, Spring, M. Hanson, Daily, Peck, Bergsagel, Zook, Grady, J. Johnson, Squires, Dolezal, J. Brown, Feland, Koehnke, Simpkins, Fagg, R. DeBruycker, Cobb, Peterson, G. Beck, Hayne, Foster, Nathe, Gage, D. Brown, Davis, J. Rice, Hoffman, Harding, referred to Committee on Agriculture, Livestock, and Irrigation

HB 894, introduced by Kimberley, Darko, Lynch, Whalen, Kilpatrick, Russell, Stickney, Daily, Pavlovich, Keating, Kadas, O'Keefe, J. Johnson, Gervais, Dolezal, Forrester, G. Beck, Thayer, Cocchiarella, Driscoll, Williams, Halligan, referred to Committee on Taxation

HB 895, introduced by J. Brown (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

HB 896, introduced by Peterson, Spring, Peck, Simpkins, Tveit, Zook, Wanzenried, Feland (by request of the Department of Justice), referred to Committee on Judiciary

HB 897, introduced by Zook, Quilici, Peterson, Fritz, Stimatz, Tveit (by request of the House Appropriations Subcommittee on General Government), referred to Committee on Appropriations

HB 898, introduced by Messmore (by request of the Department of Institutions), referred to Committee on Judiciary

HB 899, introduced by Forrester, referred to Committee on Highways and Transportation

HB 900, introduced by O'Keefe, Van Valkenburg, Bianchi, Halligan, Harp, Mazurek, T. Beck, Hockett, B. Brown, Schye, J. Brown, Ream, McCarthy, Harper, J. Rice, Bradley, referred to Committee on Taxation

HB 901, introduced by Bardanouve, B. Brown, Crippen, Kennedy, Svrcek, Harper, Bradley, Kimberley, Pavlovich, Mercer, Mazurek, Van Valkenburg, Williams, Jacobson, Halligan, referred to Committee on Business and Economic Development

HB 902, introduced by Grady, Mazurek, Harper, Menahan, Grinde, Waterman, T. Beck, Anderson, Vaughn, Hoffman, referred to Committee on State Administration

HB 903, introduced by Cobb, Strizich, Bradley, Yellowtail, Waterman, Harp, Nathe, D. Brown, referred to Committee on Judiciary

HB 904, introduced by Kasten, R. Johnson, Messmore, Fagg, R. DeBruycker, Foster, Mercer, Lee, Cody, Tunby, Raney, Peck, Gage, Devlin, Darko, Bachini, Simpkins, Harding, Hager, Nathe, Keating, Pinsoneault, Bruski, referred to Committee on Taxation

HB 905, introduced by Bradley, Schye, Mazurek, Driscoll, J. Johnson, Bengtson, Harrington, J. Brown, referred to Committee on Business and Economic Development

HB 906, introduced by Connelly, Harp, referred to Committee on Natural Resources

HB 907, introduced by Harrington, D. Brown, Clark, Pavlovich, Stimatz, Schye, Larson, Thoft, Swysgood, Spring, Quilici, Menahan, Foster, Wallin, Harper, referred to Committee on Taxation

HB 908, introduced by Harper, Grady, referred to Committee on Natural Resources

HB 909, introduced by D. Brown, Jacobson, Strizich, Measure, Driscoll, J. Rice, Gould, referred to Committee on Human Services and Aging

HJR 35, introduced by McCarthy, Schye (by request of the House Committee on Education and Cultural Resources), referred to Committee on Education and Cultural Resources

HJR 36, introduced by Toole, Cohen, Wanzenried, Brooke, Barnhart, T. Nelson, Measure, Gilbert, Dolezal, Southworth, Fagg, Larson, referred to Committee on Natural Resources

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Monday, February 18, 1991. Motion carried.

House adjourned at 1:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 18, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Sister Mary Jo Quinn. Pledge of Allegiance to the Flag.

Roll call. All members present except Brooke, Hansen, Strizich, Whalen, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/18/91
Correctly printed: HB 3, HB 142, HB 192, HB 258, HB 260, HB 261, HB 309, HB 357, HB 380, HB 436, HB 439, HB 500, HB 507, HB 536, HB 545, HB 548, HB 586, HB 596, HB 602, HB 607, HB 608, HB 636, HB 639, HB 654, HB 660, HB 670, HB 682, HB 763, HJR 21.
Correctly engrossed: HB 47, HB 90, HB 306, HB 336, HB 342, HB 359, HB 360, HB 361, HB 420, HB 425, HB 428, HB 432, HB 467, HB 485, HB 493, HB 521, HB 534, HB 537, HB 552, HB 562, HB 580, HB 585, HB 591, HB 610, HB 613, HB 622, HB 635, HB 648, HJR 12, HJR 13, HJR 14, HJR 16, HJR 17, SB 38, SB 56, SB 59, SB 90, SB 161, SJR 2, SJR 7.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/18/91
HB 705, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "e"

Strike: "i"

Following: "is"

Strike: "."

2. Page 2, line 11.

Strike: "A"

3. Page 2, line 15.

Following: "highway"

Strike: "; or"

Insert: "."

4. Page 2, lines 16 through 20.

Strike: subsection (B) in its entirety

5. Page 2, line 21.

Strike: "(ii)"

Following: "in"

Insert: "this"

6. Page 2, line 22.

Strike: "(1)(e)(i)(A) or (1)(e)(i)(B)"

And, as amended, do pass. Report adopted.

HB 711, introduced bill, be amended as follows:

1. Title, line 6.

Following: "FEES;"

Insert: "TO PROVIDE A STATUTORY APPROPRIATION;"

2. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS 17-7-502 AND"

3. Page 1, lines 12 through 24.

Following: "retirees."

Strike: remainder of line 12 through "benefit." on line 24

Insert: "(1) In addition to any retirement allowance payable under this chapter, a retired patrol officer or a beneficiary determined by the board to be eligible under subsection (2) shall receive an annual lump-sum payment beginning in September 1992 and each succeeding year as long as he remains eligible.

(2) To be eligible for the benefits under this section, a person must be:

(a) a retired patrol officer who is 55 years of age or older and who has been receiving a service allowance for at least 5 years prior to the date of distribution;

(b) a beneficiary of a patrol officer who would have been eligible under subsection (2)(a); or

(c) a recipient of a disability or survivorship allowance under 19-6-601 or 19-6-603.

(3) A retired patrol officer otherwise qualified under this section who is employed in a position covered by a retirement system under Title 19, chapters 3 through 13, is ineligible to receive any lump-sum payments provided for in this section until his employment in the covered position is terminated. Upon termination of his covered employment, the officer becomes eligible in the next fiscal year succeeding his termination.

(4) (a) Twenty-five cents of each motor vehicle registration fee provided for in 61-3-321 must be deposited in the highway patrol fund at the end of each fiscal year. The fee is statutorily appropriated, as provided in 17-7-502, for payment of benefits to eligible recipients. The total funds must be distributed by the department in lump-sum payments to eligible recipients along with their normal retirement allowance payment.

(b) The lump-sum payment must be distributed proportionally to all eligible recipients based on years of service at the time of retirement, subject to the following:

(i) a recipient under subsection (2)(c) is considered to have 20 years of service for the purposes of the distributions;

(ii) any recipient of a service retirement allowance exceeding the maximum monthly allowance under 19-6-707(2)(a) must have his years of service reduced 25% for the purposes of the distributions.

Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by

a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; [section 1]; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

Renumber: subsequent sections

4. Page 4, line 18.

Following: "is"

Strike: "\$4.25"

Insert: "\$5.25"

And, as amended, do pass. Report adopted.

HB 720, introduced bill, be amended as follows:

1. Title, line 6.

Following: first "BUS"

Strike: "IS THE COLOR OF A SCHOOL BUS OR"

2. Page 1, line 11.

Strike: "Color of and markings"

Insert: "Markings"

3. Page 1, lines 13 and 14.

Following: "it" on line 13

Strike: remainder of line 13 through "or"

And, as amended, do pass. Report adopted.

HB 723, introduced bill, be amended as follows:

1. Title, line 5.

Following: "SERVICE"

Insert: "AND FOR HOLDERS OF THE PURPLE HEART MEDAL"

2. Page 1, line 14.

Following: "States"

Strike: "and who"

Insert: "may be issued license plates inscribed as provided in subsection (2)
if he:

(a)"

3. Page 1, lines 15 and 16.

Following: "circumstances" on line 15

Strike: remainder of line 15 through "subsection (2)" on line 16

Insert: "; or

(b) was awarded the purple heart medal"

4. Page 1, line 17.

Following: "(2)"

Insert: "(a)"

Following: "of"

Strike: "a written application and"

5. Page 1, line 22.

Following: "set"

Strike: "following"

Insert: ". The plates must display:

(i)"

6. Page 2, line 1.

Following: "application"

Strike: "."

Insert: "; or

(ii) a symbol representing the purple heart medal.

(b)"

7. Page 2, line 3.

Following: "to"

Insert: "qualified"

8. Page 2, line 10.

Following: "veterans"

Insert: "or purple heart medal"

Following: "fee"

Strike: ", which may not exceed"

Insert: "of"

9. Page 2, line 13.

Strike: "motor vehicle account in the state special revenue"

Insert: "state general"

And, as amended, do pass. Report adopted.

HB 751, introduced bill, be amended as follows:

1. Title, line 10.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "61-5-206"

Insert: "AND 61-5-302"

2. Page 4, line 2.

Following: line 1

Insert: "Section 2. Section 61-5-302, MCA, is amended to read:

"61-5-302. Unlawful use of license or identification card.

It is a misdemeanor for any person to:

(1) display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious, or altered driver's license or identification card;

(2) lend his driver's license or identification card to any other person or knowingly permit its use by another;

(3) display or represent as one's own any driver's license or identification card not issued to him;

(4) fail or refuse to surrender to the department upon its lawful demand any driver's license or identification card which has been suspended, revoked, or canceled;

(5) use a false or fictitious name in any application for a driver's license, or commercial vehicle operator's endorsement, or identification card or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in any such application; or

(6) permit any unlawful use of a driver's license or identification card issued to him.""

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 2/18/91

HB 110, introduced bill, be amended as follows:

1. Title, line 7.

Following: "THE"

Insert: "INTRASTATE"

2. Title, lines 8 and 9.

Following: "COMMODITIES" on line 8

Strike: remainder of line 8 through "LAW" on line 9

3. Title, line 10.

Strike: "FEDERAL"

4. Title, line 10.

Following: "LAW;"

Insert: "DEFINING "INTRASTATE" AND "COMMERCIAL MOTOR CARRIER";"

5. Page 2, line 2.

Following: "the"

Insert: "intrastate"

6. Page 2, lines 3 and 4.

Following: "commodities" on line 3

Strike: remainder of line 3 through "law" on line 4

Insert: "by a commercial motor carrier or an employee subject to driver qualification requirements"

7. Page 2, lines 9 and 10.

Following: "use" on line 9

Strike: remainder of line 9 through "law" on line 10

Insert: ", except that drug testing may be conducted at an employee's regular biennial physical for employment in jobs involving the intrastate commercial motor carrier transportation of persons or commodities"

8. Page 2, line 13.

Following: "adopt"

Strike: "a"

Insert: "the"

9. Page 2, line 14.

Following: "procedure"

Insert: "that is provided in 49 CFR, part 40,"

10. Page 2, lines 15 through page 3, line 6.

Following: "testing." on line 15

Strike: remainder of line 15 through "law."

11. Page 3, line 22.

Following: line 21

Insert: "(6) As used in this section:

(a) "commercial motor carrier" has the meaning provided in 69-12-101; and

(b) "intrastate" means commerce or trade that is begun, carried on, and completed wholly in this state."

And, as amended, do pass. Report adopted.

HB 141, second reading copy, be amended as follows:

1. Page 2, lines 6 through 10.

Following: "or" on line 6

Strike: remainder of line 6 through "A" on line 10

2. Page 2, line 11.

Strike: "REEMPLOYMENT"

Following: "sueh"

Insert: "such"

3. Page 2, line 12.

Following: the first "for"

Strike: "any"

Following: "sueh"

Insert: "the"

4. Page 2, line 13 through page 3, line 8.

Following: "terms" on page 2, line 13

Strike: remainder of line 13 through "TERM" on page 3, line 8

5. Page 4, lines 16 and 17.

Strike: "[4]" on line 16 through "[A]" on line 17

Insert: "The term"

6. Page 4, line 20 through page 5, line 3.

Following: "institutions" on page 4, line 20

Strike: remainder of line 20 through "ASSURANCE" on page 5, line 3

And, as amended, do pass. Report adopted.

HB 385, introduced bill, do pass. Report adopted.

HB 465, introduced bill, be amended as follows:

1. Title, lines 8 through 9.

Following: "HEARINGS;"

Strike: remainder of line 8 through "DOCUMENTS;" on line 9

2. Title, line 17.

Following: "39-71-306,"

Strike: "39-71-601,"

3. Title, lines 19 and 20.

Following: "39-71-2410" on line 19

Insert: "AND"

Following: "39-72-402,"

Strike: "AND"

Following: line 19

Strike: "39-72-403,"

4. Page 4, lines 12 through 25.

Strike: section 4 in its entirety

Renumber: subsequent sections

5. Page 6, lines 7 and 8.

Following: "place"

Strike: "therefor, due"

Insert: "for the examination, with"

Following: "regard"

Strike: remainder of line 7 through "employee and" on line 8

Insert: "for the employee's convenience,"

Following: "condition"

Insert: ", "

Following: "and"

Insert: "his"

6. Page 6, line 9.

Strike: "fixed"

Insert: "that is as close to the employee's residence as is practical"

7. Page 7, line 12.

Following: "rates"

Insert: "-- fee limitation"

8. Page 9, line 16.

Following: "1988."

Insert: "After December 31, 1991, the percentage increase in medical costs payable under this chapter may not exceed the annual percentage increase in the state's average weekly wage as defined in 39-71-116."

9. Page 10, lines 5 and 6.

Following: "chiropractor" on line 5

Strike: remainder of line 5 through "chiropractor" on line 6

Insert: "if the injury falls within the scope of chiropractic practice"

10. Page 12, lines 9 and 10.

Following: "39-71-605" on line 9

Strike: remainder of line 9 through "mediation" on line 10

11. Page 18, line 20 through page 19, line 13.

Strike: section 14 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 525, introduced bill, be amended as follows:

1. Title, line 5.

Following: line 4

Strike: "WORKPLACE"

2. Title, line 7.

Following: "AND"

Strike: "INDIVIDUALS"

Insert: "PERSONS"

3. Title, line 8.

Following: "PARTICIPATE"

Insert: "VOLUNTARILY"

4. Page 1, line 12.

Following: "Drug-Free"
Strike: "Workplace"

5. Page 1, line 22 through page 2, line 5.
Following: line 21
Strike: subsections (2) through (4) in their entirety
ReNUMBER: subsequent subsections

6. Page 2, lines 10 and 18; page 7, lines 8 and 19.
Following: "Drug-free"
Strike: "workplace --"

7. Page 2, line 16.
Following: "insured"
Strike: "that has adopted"
Insert: "carrier who voluntarily adopts"
Following: "and"
Strike: "implemented"
Insert: "implements"

8. Page 2, line 23 through page 3, line 2.
Following: line 22
Strike: "participation" on line 23
Insert: "a person who participates"
Following: "course"
Strike: remainder of line 23 through "(2)" on line 2
Insert: "and who voluntarily, through a qualified testing program,"

9. Page 3, line 8.
Following: "must"
Strike: "be adopted by the employer and"

10. Page 3, lines 9 and 10.
Following: "review" on line 9
Strike: remainder of line 9 through "implementation" on line 10

11. Page 3, line 16.
Following: "the"
Strike: "employer's"

12. Page 3, line 17.
Following: "information to"
Strike: "employees"
Insert: "a person"

13. Page 3, lines 19 and 20.
Strike: subsection (1)(c) in its entirety
ReNUMBER: subsequent subsections

14. Page 3, line 22.
Following: "available to"
Strike: "employees"
Insert: "a person"

15. Page 3, line 23 through page 4, line 5.

Strike: subsections (1)(e) through (1)(f) in their entirety

Renumber: subsequent subsections

16. Page 4, line 7.

Strike: "employer intends to test"

Insert: "person will be tested"

17. Page 4, lines 8 and 9.

Following: line 7

Strike: subsection (1)(h) in its entirety

Renumber: subsequent subsections

18. Page 4, lines 16 and 17.

Strike: ": (i)"

Following: "tested"

Strike: "employee;"

Insert: "person."

19. Page 4, line 18 through page 5, line 12.

Strike: subsection (1)(j)(ii) through subsection (3) in their entirety

Renumber: subsequent subsections

20. Page 5, line 14.

Following: "of the"

Strike: "employee"

Insert: "person"

21. Page 5, line 16.

Strike: "an employer has"

Insert: "there is"

Following: "believe"

Strike: "an employee"

Insert: "a person"

22. Page 5, lines 17 and 18.

Following: ", "

Strike: remainder of line 17 through "that" on line 18

Following: "sample"

Insert: "may be required to"

23. Page 6, line 8.

Following: line 7

Strike: "An employee" through "employee"

Insert: "A person"

24. Page 6, line 16.

Following: "by"

Strike: "the employer"

Insert: "a person"

25. Page 6, lines 21 through 24.

Strike: ":" on line 21 through "(b)" on line 24

Following: "to"
Strike: "a workplace"
Insert: "an"

26. Page 7, line 1.

Following: "tested"
Strike: "employee"
Insert: "person"

27. Page 7, line 14.

Following: "insured"
Strike: "that has adopted"
Insert: "carrier who voluntarily adopts"
Following: "and"
Strike: "implemented"
Insert: "implements"

28. Page 7, line 16.

Following: "to"
Insert: "voluntarily"
Following: "test"
Strike: "employees"
Insert: "a person"

29. Page 7, line 24 through page 8, line 2.

Following: line 23
Strike: "participation"
Insert: "a person who participates"
Following: "course"
Strike: remainder of line 24 through "program" on page 8, line 2
Insert: "and who voluntarily, through a qualified testing program"

30. Page 8, lines 3 and 4.

Following: "54]]"
Strike: remainder of line 3 through "(2)" on line 4
Insert: ", "

And, as amended, do pass. Report adopted.

HJR 29, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/16/91

HB 207, introduced by Barnett

HB 372, introduced by Gould

HB 427, introduced by G. Beck

House bill concurred in as amended and returned to the House for
concurrence in Senate amendments: 2/11/91

HB 38, introduced by Grady

Senate bills passed and transmitted to the House for concurrence:

2/16/91

SB 82, introduced by Van Valkenburg

SB 94, introduced by T. Beck

SB 111, introduced by Halligan

SB 123, introduced by Jergeson

SB 134, introduced by Devlin

SB 260, introduced by Aklestad

SB 278, introduced by Gage

SB 283, introduced by Doherty

SB 288, introduced by Williams

SJR 10, introduced by Mazurek

SJR 13, introduced by Jergeson

SJR 14, introduced by Weeding

SJR 15, introduced by Vaughn

House amendments to Senate bill concurred in:

2/16/91

SB 39, introduced by Halligan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 910, introduced by Madison, Towe, referred to Committee on Taxation

HB 911, introduced by Cobb, referred to Committee on Natural Resources

HB 912, introduced by Toole, referred to Committee on Highways and Transportation

HB 913, introduced by J. Johnson, Peck, Bianchi, Kadas, Jergeson, referred to Committee on Appropriations

HB 914, introduced by S. Rice, Svrcek, referred to Committee on Taxation

HB 915, introduced by Cody, referred to Committee on Judiciary

HB 916, introduced by Thomas, referred to Committee on Appropriations

HB 917, introduced by Toole, Keating, Measure, Cobb, Stickney, Russell, Squires (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

HB 918, introduced by Southworth (by request of the House Natural Resources Committee), referred to Committee on Natural Resources

HB 919, introduced by Peterson (by request of the Department of Justice), referred to Committee on Taxation

HB 920, introduced by Darko, J. Brown (by request of the Department of Social and Rehabilitation Services), referred to Committee on Judiciary

HB 921, introduced by Darko, J. Brown (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

HB 922, introduced by Darko, J. Brown (by request of the Department of Social and Rehabilitation Services), referred to Committee on Judiciary

HB 923, introduced by Darko, J. Brown (by request of the Department of Social and Rehabilitation Services), referred to Committee on Taxation

HB 924, introduced by Measure, Raney (by request of the House Natural Resources Committee), referred to Committee on Natural Resources

HB 925, introduced by Gervais, Russell, Whalen, Stickney, Schye, Dolezal, Toole, Peck, Yellowtail, referred to Committee on State Administration

HB 926, introduced by Hoffman (by request of the Department of Health and Environmental Sciences), referred to Committee on Natural Resources

HB 927, introduced by Harrington, Jacobson, Squires, Quilici, referred to Committee on Human Services and Aging

HR 2, introduced by D. Brown, Mercer, Darko, J. Rice, Driscoll, Strizich, Russell, Harper (by request of the House Rules Committee), referred to Committee on Rules

HJR 37, introduced by Gervais, Russell, Stickney, Dolezal, Schye, Toole, Peck, Yellowtail, Hockett, Kennedy, Kimberley, Gage, Jergeson, Whalen, referred to Committee on Highways and Transportation

The following Senate bills were introduced, read first time, and referred to committee:

SB 82, introduced by Van Valkenburg, Peck (by request of the Legislative Oversight Committee on School Funding Implementation), referred to Committee on Education and Cultural Resources

SB 94, introduced by T. Beck, Gilbert, Driscoll, Harp, Raney, Grady, Yellowtail, Weeding (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 111, introduced by Halligan, Raney, Svrcek, Wanzenried, Schye, Dolezal, referred to Committee on Taxation

SB 123, introduced by Jergeson, Steppler, J. DeBruycker, R. DeBruycker, referred to Committee on Appropriations

SB 134, introduced by Devlin, Steppler, Swysgood, T. Beck, Cody, Nathe, Zook, Kasten, Grinde, Hansen, M. Hanson, Rea, D. Brown, Pipinich, referred to Committee on Agriculture, Livestock, and Irrigation

SB 260, introduced by Aklestad, Cocchiarella, Koehnke, Hammond, referred to Committee on Human Services and Aging

SB 278, introduced by Gage (by request of the Department of Revenue), referred to Committee on Taxation

SB 283, introduced by Doherty, T. Beck, Grinde (by request of the Department of State Lands), referred to Committee on Natural Resources

SB 288, introduced by Williams (by request of the Department of Health and Environmental Sciences), referred to Committee on Taxation

SJR 10, introduced by Mazurek, Yellowtail, referred to Committee on Natural Resources

SJR 13, introduced by Jergeson, Bardanoue, Russell, Burnett, Pipinich, Blaylock, Anderson, Yellowtail, Swysgood, referred to Committee on Fish and Game

SJR 14, introduced by Weeding, Steppler, L. Nelson, Cody, M. Hanson, Zook, Grosfield, Yellowtail, Jergeson, Bruski, referred to Committee on Agriculture, Livestock, and Irrigation

SJR 15, introduced by Vaughn, referred to Committee on Taxation

MOTIONS

Representative Pavlovich moved HB 350 be taken from the Committee on Business and Economic Development and be printed and placed on second reading. Motion failed.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Grinde in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 212 - Representative Cohen moved HB 212 do pass. Motion carried as follows:

Ayes: Bardanoue, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, O'Keefe, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, J. Rice, Schye, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 49

Voted Absentee: Brooke, S. J. Hansen, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 577 - Representative Harper moved HB 577 do pass.

Representative Driscoll made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Driscoll moved HB 577, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 21.

Following: "pay"

Insert: "-- employee retirement contribution paid"

Following: "."

Insert: "(1)"

2. Page 2.

Following: line 25

Insert: "(2) The state shall pay the employee contribution to the employee's retirement system for the duration of the employee's active duty military leave under the provisions of [section 3] if the employee is a state employee as defined in 2-18-701 whose base pay on active military duty is less than his base wage or salary as a state employee."

3. Page 6.

Following: line 14

Insert: "NEW SECTION. Section 7. Coordination instruction. If House Bill No. 734 is passed and approved and if it includes a provision that the state shall pay the employee contribution to the employee's retirement system if the employee is receiving supplemental pay, then [section 4(2)] is void."

Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Brooke, S. J. Hansen.

Total 2

Absent or not voting: Gilbert, Kadas.

Total 2

Representative Harper moved HB 577, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: None.

Total 0

HB 734 - Representative Phillips moved HB 734 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: Grinde.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved the adoption of the committee report. Report adopted. (93-4)

REPORTS OF STANDING COMMITTEES

RULES (Driscoll, Chairman):

2/18/91

HR 2, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 928, introduced by Toole, Measure, Driscoll, Gervais, Harper, Doherty, referred to Committee on Judiciary

HB 929, introduced by Whalen, Menahan, Ream, Gervais, Daily, Strizich, Pavlovich, Nisbet, referred to Committee on Taxation

MOTIONS

Representative Driscoll moved SB 273 be taken from the Committee on Taxation and rereferred to the Committee on Highways and Transportation. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 29 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Cobb, Cohen, Driscoll, Measure, Phillips, Stang, Whalen.
Total 7

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: Elliott.

Total 1

HB 47 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: D. Brown, Cobb, Cohen, Driscoll, Measure, Scott, Stang, Whalen.

Total 8

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: Gould.

Total 1

HB 230 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.
Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.
Total 1

Absent or not voting: None.
Total 0

HB 263 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Brooke, S. J. Hansen, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 305 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins,

Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 95

Noes: Boharski, Driscoll.
Total 2

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.
Total 1

Absent or not voting: Scott, Mr. Speaker.
Total 2

HB 377 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Hoffman, Kasten, McCaffree.
Total 4

Voted Absentee: Brooke, S. J. Hansen, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 479 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson,

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Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 91

Noes: Boharski, Cody, S. J. Hansen, McCaffree, Scott, Stepler.
Total 6

Voted Absentee: S. J. Hansen, No.

Excused: Brooke.
Total 1

Absent or not voting: Ellison, Mr. Speaker.
Total 2

HB 481 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Peck.
Total 1

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.
Total 1

Absent or not voting: None.
Total 0

HB 513 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson,

Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 96

Noes: J. DeBruycker.
Total 1

Excused: Brooke, S. J. Hansen.
Total 2

Absent or not voting: Mr. Speaker.
Total 1

HB 516 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.
Total 1

Absent or not voting: None.
Total 0

HB 551 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne,

Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: None.

Total 0

SB 38 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Benedict, Bergsagel, Kasten, McCaffree, L. Nelson, Peck, Steppler, Zook.

Total 8

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: None.

Total 0

SB 56 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Bergsagel.

Total 1

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: None.

Total 0

SB 59 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Benedict, Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Forrester, H. S. Hanson, McCaffree, L. Nelson, Peck, Stepler, Thoft.

Total 13

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: None.

Total 0

SB 90 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Grinde, H. S. Hanson, R. Johnson, McCaffree, McCarthy, Quilici.

Total 7

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: None.

Total 0

SB 161 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: Brooke.

Total 1

Absent or not voting: None.

Total 0

SJR 2 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, S. J. Hansen.

Total 2

Absent or not voting: Kadas.

Total 1

SJR 7 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Brooke, S. J. Hansen.

Total 2

Absent or not voting: Raney.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Suzanne Bridgeford, Great Falls

David Gorton, Billings

Natasha Gregg, Polson

Collette Helmer, Billings

Misty Raney, Livingston

Nikole Sager, Helena

Anna Volinkaty, Missoula

Dwight Welch, Miles City

Jen Boyer, Polson, page to the minority

Representative Driscoll moved the House adjourn until 1:00 p.m., Tuesday, February 19, 1991. Motion carried.

House adjourned at 2:25 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

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and Ending April 29, 1991

HAL HARPER
Speaker of the House

JOYCE ANDRUS
Chief Clerk of the House

Published by



Montana Legislative Council

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 19, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Spring. Pledge of Allegiance to the Flag.

Roll call. All members present except Whalen, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-second legislative day, find the same to be correct.

Menahan, Chairman

MOTIONS

Representative Driscoll moved HB 385 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/19/91
Correctly printed: HB 110, HB 141, HB 385, HB 465, HB 525, HB 705, HB 711, HB 720, HB 723, HB 751, HR 2.
Correctly engrossed: HB 212, HB 577, HB 734, HJR 29.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 2/18/91

HB 674, introduced bill, be amended as follows:

1. Title, lines 4 and 5.
Following: "THAT" on line 4
Strike: remainder of line 4 through "ALL" on line 5
Insert: "RULES BE ADOPTED TO DETERMINE WHEN EXCESSIVE ADDED WATER OR ICE RENDERS"

2. Title, lines 6 and 7.
Following: line 5
Strike: all of line 6 through "PROCESSING" on line 7
Insert: "ADULTERATED; AND AMENDING SECTION 50-31-202, MCA"

3. Page 1, line 8.
Insert: "STATEMENT OF INTENT"

A statement of intent is provided for this bill because it is intended to authorize the department of health and environmental sciences to provide rules for the regulation of the sale as well as the labeling of chicken or turkey that is packaged with excessive added water or ice."

4. Page 1, lines 10 through 18.
Strike: sections 1 and 2 in their entirety
Insert: "Section 1. Section 50-31-202, MCA, is amended to read:
"50-31-202. When food adulterated. A food shall be deemed to be adulterated if:

(1) it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such food shall not be considered adulterated under this subsection if the quantity of such substance in such food does not ordinarily render it injurious to health;

(2) it bears or contains any added poisonous or added deleterious substance, other than one which is:

(a) a pesticide chemical in or on a raw agricultural commodity;

(b) a food additive; or

(c) a color additive, which is unsafe within the meaning of 50-31-109;

(3) it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of section 408(a) of the federal act as amended;

(4) it is or it bears or contains any food additive which is unsafe within the meaning of section 409 of the federal act as amended; provided that where a pesticide chemical has been used in or on a raw agricultural commodity in conformity with an exemption granted or tolerance prescribed under section 408 of the federal act and such raw agricultural commodity has been subjected to processing such as canning, cooking, freezing, dehydrating, or milling, the residue of such pesticide chemical remaining in or on such processed food shall, notwithstanding the provisions of 50-31-108, 50-31-109, and subsection (4) of this section, not be deemed unsafe if such residue in or on the raw agricultural commodity has been removed to the extent possible in good manufacturing practice and the concentration of such residue in the processed food when ready to eat is not greater than the tolerance prescribed for the raw agricultural commodity;

(5) it consists in whole or in part of a diseased, contaminated, filthy, putrid, or decomposed substance or if it is otherwise unfit for food;

(6) it has been produced, prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered diseased, unwholesome, or injurious to health;

(7) it is the product of a diseased animal or an animal which has died otherwise than by slaughter or that has been fed upon the uncooked offal from a slaughterhouse;

(8) its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health;

(9) any valuable constituent has been in whole or in part omitted or abstracted therefrom;

(10) any substance has been substituted wholly or in part therefor;

(11) damage or inferiority has been concealed in any manner;

(12) any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, reduce its

quality or strength, or make it appear better or of greater value than it is;

(13) it is confectionery and it bears or contains any alcohol or nonnutritive article or substance except harmless coloring, harmless flavoring, harmless resinous glaze not in excess of .4%, harmless natural wax not in excess of .4%, or harmless natural gum and pectin; provided that this paragraph shall not apply to any confectionery by reason of its containing less than .5% by volume of alcohol derived solely from the use of flavoring extracts or to any chewing gum by reason of its containing harmless nonnutritive masticatory substances;

(14) it is or bears or contains any color additive which is unsafe within the meaning of the federal act;

(15) it is chicken or turkey packaged with excessive added water or ice as determined by department rule."

And, as amended, do pass. Report adopted.

HB 756, introduced bill, do pass and be placed on the consent calendar. Report adopted.

SB 158, third reading copy, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/18/91

HB 538, introduced bill, be amended as follows:

1. Page 1, line 15.

Page 2, lines 6 and 9

Page 6, line 11

Page 8, line 4

Strike: "7"

Insert: "6"

2. Page 2, line 15.

Strike: "3%"

Insert: "1%"

3. Page 7, lines 13 and 14.

Following: "is" on line 13

Strike: remainder of line 13 through "is" on line 14

4. Page 7, line 14.

Following: "same"

Strike: "article at cost"

Insert: "or a similar product of like grade and quality"

5. Page 8, line 6.

Following: "Penalty"

Insert: "-- disposition"

6. Page 8, line 7.

Strike: ", and upon"

Insert: "."

(2) Upon presentation by an offended party of evidence of a violation of [section 4], the department of justice or a county attorney shall issue to the suspected retailer or wholesaler a demand by certified mail to cease the violation. If the violation is not corrected within 24 hours after the suspected retailer or wholesaler receives the notification, the department or the county attorney may bring an action to enjoin the violation.

(3) Upon"

Renumber: subsequent subsection

7. Page 8, line 10.

Following: "occurs"

Insert: ", is liable for attorney fees, and is subject to injunctive relief"

8. Page 8, line 11.

Strike: "commerce"

Insert: "justice"

9. Page 8, line 12.

Following: "4]."

Insert: "If the action is brought by:

(a) the department of justice, one-half of the amount of the penalty must be deposited in the general fund of the county where the action was brought and the remainder in the state general fund; or

(b) a county attorney, the entire amount of the penalty must be deposited in the general fund of the county where the action was brought."

10. Page 8, lines 13 through 22.

Strike: lines 13 through 22 in their entirety

Renumber: subsequent subsections and sections

And, as amended, do pass. Report adopted.

HB 625, introduced bill, do pass. Report adopted.

HB 741, introduced bill, be amended as follows:

1. Page 8, line 1.

Strike: "shareholder's"

Insert: "member's"

2. Page 8, line 2.

Strike: "shareholders"

Insert: "members"

3. Page 162, lines 12 and 17.

Following: "April"

Strike: "1"

Insert: "15"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/19/91

HB 407, introduced bill, do pass. Report adopted.

HB 415, introduced bill, do pass. Report adopted.

HB 462, introduced bill, be amended as follows:

1. Title, line 4.

Following: "REVISE"

Insert: "AND TO PHASE IN"

2. Title, line 8.

Strike: "AN"

Strike: "DATE"

Insert: "DATES"

3. Page 1, line 9.

Insert: "STATEMENT OF INTENT"

A statement of intent is necessary for this bill to clarify that the superintendent of public instruction shall promulgate rules that prescribe procedures for the aggregation of the average number belonging of pupils in school districts for foundation program purposes. The authority for rulemaking to secure compliance with school budgeting laws is granted the superintendent of public instruction in 20-9-102 and 20-9-201. The rules must address the various circumstances concerning location of school districts and the schools within those districts."

4. Page 4, lines 19 and 20.

Following: line 18

Strike: lines 19 and 20 in their entirety

Insert: "is applicable during school fiscal years 1992 through 1996 in the following manner:

(1) one-fifth of the reduction in the foundation program schedule amount resulting from the aggregation of ANB required by [this act] and as calculated under the provisions of 20-9-311(1), applies in budgeting for school fiscal year 1992;

(2) two-fifths of the reduction in the foundation program schedule amount resulting from the aggregation of ANB required by [this act] and as calculated under the provisions of 20-9-311(1), applies in budgeting for school fiscal year 1993;

(3) three-fifths of the reduction in the foundation program schedule amount resulting from the aggregation of ANB required by [this act] and as calculated under the provisions of 20-9-311(1), applies in budgeting for school fiscal year 1994;

(4) four-fifths of the reduction in the foundation program schedule amount resulting from the aggregation of ANB required by [this act] and as calculated under the provisions of 20-9-311(1), applies in budgeting for school fiscal year 1995;

(5) 100% of the reduction in the foundation program schedule amount resulting from the aggregation of ANB required by [this act] and as calculated under the provisions of 20-9-311(1), applies in budgeting for school fiscal year 1996."

And, as amended, do pass. Report adopted.

HB 470, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "EMPLOYEE CONTRACTS AND"

Following: "RIGHTS"

Insert: "AND FOR A HIRING PREFERENCE FOR NONCERTIFIED
EMPLOYEES"

2. Page 1, line 10.

Strike: "Contracts"

Insert: "Tenure"

Following: "protected"

Strike: "."

Insert: "-- hiring preference for noncertified employees. (1)"

3. Page 1, line 14.

Following: "other"

Insert: "certified"

4. Page 1, lines 15 and 16.

Strike: "continuing contract or" on line 15

Following: "law"

Strike: "is protected" on lines 15 and 16

Insert: "continues to have tenure in the consolidated or enlarged district"

5. Page 1, line 18.

Strike: "contract or"

6. Page 1, line 20.

Following: line 19

Insert: "(2) A noncertified, nonprobationary employee of a school district that consolidates or joins another district through annexation must be given preference in hiring for any position with the consolidated or enlarged district for which the employee has substantially equal qualifications and, upon acceptance of a position, may not be given probationary status."

And, as amended, do pass. Report adopted.

HB 589, introduced bill, do pass. Report adopted.

HB 715, introduced bill, be amended as follows:

1. Title, line 10.

Strike: "AN IMMEDIATE"

2. Title, line 11.

Strike: "DATE"

Insert: "DATES"

3. Page 13, line 20.

Strike: "100%"

Insert: "150%"

4. Page 14, line 24.

Following: "Effective"

Strike: remainder of line 24

Insert: "dates. (1) [Sections 1 through 5, 7 through 11, and this section] are"

5. Page 14.

Following: line 25

Insert: "(2) [Section 6] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

HJR 35, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/19/91

HB 530, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "HEALTH"

Insert: "DISABILITY"

2. Title, lines 5 and 6.

Strike: ", HEALTH" on line 5 through "ORGANIZATIONS" on line 6

3. Title, lines 6 and 7.

Strike: "OR MEMBERSHIP"

4. Title, line 7.

Following: "TO"

Insert: "OR REFUSING TO CONSIDER AN APPLICATION FOR INSURANCE
COVERAGE FROM"

5. Title, line 8.

Following: "DISABILITY"

Insert: "; TO DEFINE UNLAWFUL DISCRIMINATION IN THE APPLICATION
OF INSURANCE RATES OR TERMS OR IN THE ISSUANCE OF AN
INSURANCE POLICY; TO DEFINE TERMS; AMENDING SECTION
33-18-206, MCA"

6. Page 1, line 12 through line 8 on page 2.

Following: line 11

Strike: sections 1 and 2 in their entirety

Insert: "Section 1. Section 33-18-206, MCA, is amended to read:

"33-18-206. Unfair discrimination prohibited -- life insurance, annuities, and disability insurance. (1) No person shall make or permit any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon or in any other of the terms and conditions of such contract.

(2) No person shall make or permit any unfair discrimination between individuals of the same class and of

essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of disability insurance or in the benefits payable thereunder or in any of the terms or conditions of such contract or in any other manner whatever.

(3) An insurer may not refuse to consider an application for life or disability insurance on the basis of a genetic condition, developmental delay, or developmental disability.

(4) The rejection of an application or the determining of rates, terms, or conditions of a life or disability insurance contract on the basis of genetic condition, developmental delay, or developmental disability constitutes unfair discrimination unless the applicant's medical condition and history and either claims experience or actuarial projections establish that substantial differences in claims are likely to result from the genetic condition, developmental delay, or developmental disability.

(5) As used in this section, the following definitions apply:

(a) "Developmental delay" means a delay of at least 1 1/2 standard deviations from the norm.

(b) "Developmental disability" means the singular of developmental disabilities as defined in 53-20-202.

(c) "Genetic condition" means a specific chromosomal or single-gene genetic condition."

Renumber: subsequent section

7. Page 2, line 10.

Strike: "health"

Insert: "disability"

Following: "contracts"

Insert: "applied for,"

And, as amended, do pass. Report adopted.

HB 713, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

JUDICIARY (Strizich, Chairman):

2/18/91

HB 275, introduced bill, do pass. Report adopted.

HB 276, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "by 45-9-101"

2. Page 2, lines 5 and 6.

Strike: "by" on line 5 through "45-9-101" on line 6

Insert: "for the underlying offense"

And, as amended, do pass. Report adopted.

HB 284, introduced bill, be amended as follows:

1. Title, line 6.

Following: "LATER"

Insert: ", BUT IN NO EVENT LATER THAN THE CHILD'S 19TH BIRTHDAY"

2. Page 1, line 9.

Insert: "Statement of Intent

A statement of intent is not required for this bill because it does not grant rulemaking authority. However, a committee may by a two-thirds vote agree to attach a statement of intent to a bill not requiring one. The legislature finds that it would be unconscionable to have child support terminate prior to the graduation of a child from high school if the child is still living at home with the other parent, is still in need of support, and there has been no change in living circumstances prior to high school graduation."

3. Page 3, line 2.

Strike: "but not by"

Insert: "but in no event later than the child's 19th birthday. Whenever necessary, proof of enrollment in high school must be provided. Provisions for the support of a child do not terminate upon"

And, as amended, do pass. Report adopted.

HB 346, introduced bill, be amended as follows:

2/19/91

1. Title, lines 4 through 6.

Strike: "REVISING" on line 4 through "ACTIONS;" on line 6

2. Title, lines 8 and 9.

Strike: lines 8 and 9 in their entirety

3. Page 1, line 24.

Page 3, line 17.

Strike: "10%"

Insert: "30%"

4. Page 2, line 21.

Following: "claimant."

Insert: "For purposes of determining the percentage of liability attributable to each party whose action contributed to the injury complained of, the trier of fact shall consider the negligence of the claimant, injured person, defendants, third-party defendants, persons released from liability by the claimant, persons immune from liability to the claimant, and any other persons who have a defense against the claimant."

Strike: "may"

Insert: "shall"

5. Page 2, lines 22 through 24.

Strike: "only" on line 22 through "complained" on line 24

Following: "persons" on line 24

Strike: "."

6. Page 3, line 6.

Following: "government."

Insert: "all such persons. However, in attributing negligence among persons, the trier of fact may not consider or determine any amount of negligence on the part of any injured person's employer or coemployee to the extent that such employer or coemployee has tort immunity under the Workers' Compensation Act or the Occupational Disease Act of this state, of any other state, or of the federal government."

And, as amended, do pass. Report adopted.

HB 364, introduced bill, be amended as follows:

2/18/91

1. Title, line 4.

Strike: "EXTEND"

Insert: "DEFINE THE"

2. Title, line 5.

Strike: "LIMITS ON"

Insert: "FOR NEGLIGENCE IN"

3. Page 3, line 7.

Strike: "limitations"

4. Page 3, lines 7 and 8.

Strike: "Except" on line 7 through "an" on line 8

Insert: "An"

5. Page 3, line 8.

Following: "professional"

Insert: "has the duty to exercise due and reasonable care with respect to equine activities and participants in such activities and"

6. Page 3, line 9.

Strike: "not"

Following: "liable"

Insert: "in negligence"

7. Page 3, line 10.

Following: "activity"

Insert: "proximately caused by failure of the equine activity sponsor or equine professional to reasonably and prudently exercise that duty"

8. Page 3, line 11, through page 4, line 10.

Strike: subsections (2) and (3) in their entirety

Insert: "(2) If an equine activity sponsor or equine professional gives a participant an informative, effective warning of the following that a reasonable person would fully understand, the participant assumes the risk of the following:

(a) the fact that an equine, irrespective of its training and usual past behavior and characteristics, may act or react unpredictably at times to such things as sounds, sudden movement, and unfamiliar objects, persons, and animals;

(b) variations in or hazards related to terrain and steepness of terrain, snow and ice, forest growth, stumps, rocks, manmade structures, and unforeseeable weather conditions; and

(c) the possibility and risk of collisions with other participants or equines or other persons, objects, or animals.

(3) If a participant fails to adequately advise an equine activity sponsor or equine professional of the participant's skill and abilities with respect to equine activities or fails to engage in an equine activity within his level of skill and abilities, an equine activity sponsor or equine professional whose negligent acts or omissions are a proximate cause of injury to or death of a participant toward whom the equine activity sponsor or professional has a duty to exercise due and reasonable care is liable only in the percent that his negligence caused the injury or death."

And, as amended, do pass. Report adopted.

HB 417, introduced bill, be amended as follows:

1. Page 4.

Following: line 11

Insert: "(4) Subsection (1) does not apply to an employer or employees involved in a labor dispute."

And, as amended, do pass. Report adopted.

HB 451, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "REPEALING"

Insert: "AMENDING"

2. Title, line 9.

Strike: "45-1-205,"

3. Title, line 10.

Following: "45-5-504,"

Insert: "45-5-505,"

4. Title, lines 10 and 11.

Strike: "46-15-401" on line 10 through "46-23-502," on line 11

5. Title, line 12.

Strike: "REPEALING SECTION 45-5-505, MCA;"

6. Page 2, line 15.

Following: "spouse"

Insert: "person"

7. Page 3, line 10.

Following: "another"

Insert: "person"

8. Page 5, line 19.

Strike: "40"

Insert: "20"

9. Page 7, line 7.

Following: "(b)"

Insert: "evidence of the victim's past sexual conduct with the offender or"

10. Page 25, line 8 through page 27, line 2.

Strike: section 9 in its entirety

Renumber: subsequent sections

11. Page 29, line 8 through page 34, line 10.

Strike: sections 12 through 15 in their entirety

Renumber: subsequent sections.

12. Page 36, lines 13 and 14.

Strike: section 18 in its entirety

Insert: "Section 13. Section 45-5-505, MCA, is amended to read:

"45-5-505. ~~Deviate sexual conduct~~ Bestiality. (1) A person who knowingly engages in ~~deviate sexual relations~~ bestiality or who causes another to engage in ~~deviate sexual relations~~ bestiality commits the offense of ~~deviate sexual conduct~~ bestiality.

(2) A person convicted of the offense of ~~deviate sexual conduct~~ bestiality shall be imprisoned in the state prison for any term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both.

(3) ~~A person convicted of deviate sexual conduct without consent shall be imprisoned in the state prison for any term not to exceed 20 years or be fined an amount not to exceed \$50,000, or both~~ For purposes of this section, "bestiality" means any form of sexual contact or of sexual intercourse with an animal."

And, as amended, do pass. Report adopted.

HB 501, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "INCREASING"

Insert: "CHANGING"

Strike: "MINIMUM"

2. Title, line 5.

Strike: "AMOUNT OF A"

3. Title, lines 5 and 6.

Strike: "TO THE" on line 5 through "\$50" on line 6

4. Page 1, line 19.

Strike: "the greater"

5. Page 1, line 20.

Strike: "of three"

Insert: "two"
Strike: "or \$50"

6. Page 2, line 5.
Strike: "three"
Insert: "two"

And, as amended, do pass. Report adopted.

HB 555, introduced bill, do pass. Report adopted.
HB 567, introduced bill, be amended as follows:

1. Page 5, lines 4 through 7.
Strike: subsection (8) in its entirety
Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 581, introduced bill, do pass. Report adopted.
HB 631, introduced bill, be amended as follows:

2/19/91

1. Title, line 6.
Following: "PROVIDING"
Insert: ", WITH AN EXCEPTION,"

2. Title, line 9.
Strike: "AND"
Insert: ", "
Following: "46-18-201,"
Insert: "AND 46-18-222,"

3. Page 5.
Following: line 14
Insert: "Section 3. Section 46-18-222, MCA, is amended to read:

"46-18-222. Exceptions to mandatory minimum sentences and restrictions on deferred imposition and suspended execution of sentence. All mandatory minimum sentences prescribed by the laws of this state and the restrictions on deferred imposition and suspended execution of sentence prescribed by subsections (4), (5), and (6) of 46-18-201, 46-18-221(3), 46-18-224, and 46-18-502(3) do not apply if:

(1) the defendant was less than 18 years of age at the time of the commission of the offense for which he is to be sentenced;

(2) the defendant's mental capacity, at the time of the commission of the offense for which he is to be sentenced, was significantly impaired, although not so impaired as to constitute a defense to the prosecution. However, a voluntarily induced intoxicated or drugged condition may not be considered an impairment for the purposes of this subsection.

(3) the defendant, at the time of the commission of the offense for which he is to be sentenced, was acting under unusual and substantial duress, although not such duress as would constitute a defense to the prosecution;

(4) the defendant was an accomplice, the conduct constituting the offense was principally the conduct of another, and the defendant's participation was relatively minor; or

(5) where applicable, no serious bodily injury was inflicted on the victim unless a weapon was used in the commission of the offense; or

(6) the offense was committed under 45-5-502(3) and the court determines that treatment of the defendant at the local level affords a better opportunity for rehabilitation of the defendant and for the ultimate protection of society, in which case the court shall include in its judgment a statement of the reasons for its determination.""

And, as amended, do pass. Report adopted.

HB 691, introduced bill, do pass. Report adopted.

2/18/91

HB 697, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/18/91

HB 504, introduced bill, do pass. Report adopted.

HB 679, introduced bill, be amended as follows:

1. Page 1, line 25.

Following: "years"

Strike: ".0576"

Insert: ".058"

2. Page 2, line 1.

Strike: ".0692"

Insert: ".069"

3. Page 2, line 2.

Strike: ".0807"

Insert: ".081"

4. Page 2, line 3.

Strike: ".0923"

Insert: ".092"

5. Page 3, line 13.

Strike: ".0461"

Insert: ".046"

And, as amended, do pass. Report adopted.

HB 758, introduced bill, be amended as follows:

1. Title, line 6.

Following: "EMPLOYEES"

Insert: "WHO ARE NATURAL FATHERS OR ARE"

2. Page 1, lines 9 and 10.

Following: "regulations" on line 9

Strike: "promulgated" through "Administration" on line 10

3. Page 1, line 24.

Following: "employees"

Strike: "adopting children"

4. Page 2, lines 1 through 3.

Following: "employees" on line 1

Strike: remainder of line 1 through "age" on line 2

Following: "employee" on line 2

Strike: "adopting" through "age" on line 3

5. Page 2, line 5.

Following: "for"

Insert: "maternal"

Following: "leave"

Insert: "due to disability"

6. Page 2, line 6.

Following: "child"

Insert: "if:

(1) the employee is adopting a child under 1 year of age;

or

(2) the employee is a natural father"

And, as amended, do pass. Report adopted.

HB 765, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: "mail registration"

Insert: "as prescribed by the secretary of state"

2. Page 3, line 21.

Following: "mail registration"

Insert: "as prescribed by the secretary of state"

And, as amended, do pass. Report adopted.

HB 769, introduced bill, be amended as follows:

1. Title, line 7.

Following: ";

Insert: "CLARIFYING RETIREMENT ELIGIBILITY;"

2. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "19-3-401"

Insert: "AND 19-3-901"

3. Page 2.

Following: line 18

Insert: "Section 2. Section 19-3-901, MCA, is amended to read:

"19-3-901. Eligibility for service retirement. A member who has attained the age of 60 and completed 5 years of qualified service is eligible for service retirement. A member who has attained age 65 while employed in a position covered by a public employee retirement system is eligible for service retirement regardless of his years of creditable service. A member who has completed 30 years or more of state creditable service is eligible for service retirement regardless of his age."

Renumber: subsequent sections

And, as amended, do pass and be placed on the consent calendar. Report adopted.

MOTIONS

Representative Darko moved HB 921 be taken from the Committee on Human Services and Aging and rereferred to the Committee on Judiciary. Motion carried.

Representative Darko moved HB 923 be taken from the Committee on Taxation and rereferred to the Committee on Judiciary. Motion carried.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 2/18/91

HB 16, introduced by Driscoll

HB 119, introduced by Ream

HB 280, introduced by Thomas

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 2/11/91

HB 24, introduced by Cody

Senate bills passed and transmitted to the House for concurrence: 2/18/91

SB 102, introduced by Nathe

SB 142, introduced by T. Beck

SB 191, introduced by T. Beck

SB 236, introduced by Harp

SB 237, introduced by Noble

SB 239, introduced by Van Valkenburg

SB 240, introduced by Van Valkenburg

SB 249, introduced by Svrcek

SB 259, introduced by Franklin

SB 261, introduced by Lynch

SB 264, introduced by Fritz

SB 275, introduced by Gage

SB 276, introduced by Fritz

SB 279, introduced by B. Brown
SB 290, introduced by Koehnke
SB 301, introduced by Blaylock
SB 333, introduced by Gage

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 19, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bill 98 on February 19, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 930, introduced by Whalen, Blaylock, Lynch, McCarthy, Menahan, Daily, Harrington, G. Beck, Jacobson, Cocchiarella, Kimberley, Pavlovich, Bradley, referred to Committee on Human Services and Aging

HB 931, introduced by S. Rice, Strizich, referred to Committee on Judiciary

HB 932, introduced by R. DeBruycker, Bianchi, Harp, G. Beck, Swysgood, Wallin, Bradley, Menahan, Gould, Tveit, Gilbert, Larson, referred to Committee on Business and Economic Development

HB 933, introduced by Driscoll, Hansen, Fritz, Gage, Hockett, Whalen, referred to Committee on Appropriations

HB 934, introduced by Thomas, Van Valkenburg, Halligan, B. Brown, Swift, Mercer, Harp, Thoft, Benedict, Rye, Crippen, Mazurek, Keating, Fritz, Blaylock, Doherty, Yellowtail, Farrell, Ream, Cobb, Wyatt, Squires, Whalen, Toole, Connelly, Wanzenried, Fagg, Cocchiarella, Driscoll, Hayne, Wallin, Kadas, T. Nelson, Messmore, J. Rice, Strizich, Phillips, Hoffman, R. Johnson, Gould, referred to Committee on Judiciary

HB 935, introduced by Hansen, Peck, S. Rice, Peterson, Wanzenried, referred to Committee on Taxation

HB 936, introduced by J. Rice, J. Brown, Waterman, Grady, O'Keefe, Harper, Mazurek, referred to Committee on State Administration

HB 937, introduced by Stickney, Darko, Wyatt, Becker, Halligan, Russell, McCarthy, Harper, Kilpatrick, J. Brown, S. Rice, L. Nelson, Squires, Eck, Gervais, Blaylock, Schye, Cocchiarella, Strizich, Franklin, referred to Committee on Human Services and Aging

HB 938, introduced by R. Johnson (by request of the Department of Health and Environmental Sciences), referred to Committee on Judiciary

HB 939, introduced by S. Rice, Doherty, referred to Committee on Local Government

HB 940, introduced by Wanzenried, Peck, Jergeson, B. Brown, Kadas, Bianchi, Nathe, Hammond, Grinde (by request of the Superintendent of Public Instruction), referred to Committee on Education and Cultural Resources

HB 941, introduced by Benedict, D. Brown, Squires, Strizich, referred to Committee on State Administration

HJR 38, introduced by Squires (by request of the House Committee on Labor and Employment Relations), referred to Committee on Labor and Employment Relations

HJR 39, introduced by Daily (by request of the House Natural Resources Committee), referred to Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 390 - Representative Ellison moved HB 390, second reading copy, be amended as follows (amendment #1):

1. Amend Rep. Cobb's amendment #1 passed on 2/16 to read as follows:

2. Page 7, line 1.

Following: "disease"

Strike: "."

Insert: ";

Following: line 1

Insert: "(b) shall develop rules to manage and reduce the number of wild buffalo or bison that leave Yellowstone national park."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Cobb, Cody, J. DeBruycker, R. DeBruycker, Kasten, McCarthy, Menahan, Nisbet, Peck, Phillips.

Total 10

Excused: None.

Total 0

Absent or not voting: Clark, L. Nelson, Schye, Steppler.

Total 4

Representative Ream moved HB 390, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, Measure, Messmore, L. Nelson, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Thomas, Toole, Tunby, Whalen, Wyatt, Mr. Speaker.

Total 56

Noes: Barnett, Beck, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Cromley, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Fagg, Feland, Forrester, Foster, Gould, H. S. Hanson, Hayne, Hoffman, Kasten, McCaffree, McCarthy, McCulloch, Menahan, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Wallin, Wanzenried, Zook.

Total 42

Excused: None.

Total 0

Absent or not voting: Mercer, Strizich.

Total 2

HB 258 - Representative Bachini moved HB 258 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellison, Gilbert, Grady, Kadas, Phillips.

Total 5

HB 309 - Representative D. Brown moved HB 309 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, D. Brown, J. Brown, Cocchiarella, Connelly, Cromley, Daily, Davis, Dolezal, Driscoll, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Bachini, Bardanouve, Bergsagel, Boharski, Brooke, Clark, Cobb, Cody, Cohen, Darko, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Fagg, Gilbert, H. S. Hanson, Kadas, Knox, Lee, McCaffree, Mercer, L. Nelson, Phillips, J. Rice, Simpkins, Stang, Stepler, Strizich, Swysgood, Thoft, Thomas, Zook.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HR 2 - Representative D. Brown moved HR 2 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Boharski, Cohen, O'Keefe, Whalen.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (87-12)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/19/91
Examined by the sponsor and found to be correct:
HB 14 - Peck
HB 22 - Cody
HB 318 - Kadas
HB 323 - Driscoll
HB 373 - O'Keefe

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 2/19/91
HB 776, introduced bill, do pass. Report adopted.
HB 779, introduced bill, do pass. Report adopted.
HJR 27, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 2/19/91
HB 784, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 942, introduced by G. Beck, Whalen, Lee, Cromley, J. Rice, Larson, referred to Committee on Judiciary
HB 943, introduced by Davis (by request of the Board of Sanitarians), referred to Committee on Business and Economic Development
HB 944, introduced by Bradley, Bianchi, Fritz, referred to Committee on Appropriations
HB 945, introduced by Bradley, Waterman, Cobb, Keating, Nathe, J. Johnson (by request of the House Appropriations Subcommittee on Human Services and Aging), referred to Committee on State Administration
HB 946, introduced by Menahan, referred to Committee on Local Government

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 90 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 306 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Cohen, Larson, Measure, O'Keefe, Stang.

Total 6

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

HB 336 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cohen, Measure, L. Nelson, O'Keefe, J. Rice, Steppler.

Total 6

Excused: None.

Total 0

Absent or not voting: M. Hanson.

Total 1

HB 342 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt.

Total 68

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Ellis, Feland, Foster, Gilbert, M. Hanson, Hayne, Kadas, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Thomas, Tunby, Wallin, Zook.

Total 31

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 359 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, Clark, Grinde, H. S. Hanson, Hoffman, Stang, Stepler.
Total 7

Excused: None.

Total 0

Absent or not voting: Barnhart, S. J. Hansen.

Total 2

HB 360 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel, Foster, Gervais, Stepler.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 361 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Bergsagel, Gervais, Steppler.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 420 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 425 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: J. DeBruycker.

Total 1

HB 428 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: S. Rice.

Total 1

HB 432 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bardanouve, Brooke, Clark, Feland, Kadas, McCaffree, T. Nelson, Peck, Raney.

Total 9

Excused: None.

Total 0

Absent or not voting: J. DeBruycker.

Total 1

HB 467 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: D. Brown, Cohen, Cromley, Driscoll, Feland, Gilbert, Measure, Raney, Southworth, Stepler, Whalen.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 485 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bergsagel, J. DeBruycker, R. DeBruycker, Feland, M. Hanson, Hayne, Kasten, McCaffree, Peterson, Steppler.

Total 10

Excused: None.

Total 0

Absent or not voting: Ellis, Ellison, McCarthy.

Total 3

HB 493 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 65

Noes: Benedict, Bergsagel, Clark, Daily, R. DeBruycker, Ellis, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCaffree, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, J. Rice, Russell, Simpkins, Steppler, Stickney, Thomas, Tunby, Zook.

Total 33

Excused: None.

Total 0

Absent or not voting: Bradley, Ellison.

Total 2

HB 521 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Bergsagel.
Total 1

Excused: None.
Total 0

Absent or not voting: Ellison.
Total 1

HB 534 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Stang.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 537 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 95

Noes: Bergsagel, Kasten, Peck, Steppler.

Total 4

Excused: None.

Total 0

Absent or not voting: Zook.

Total 1

HB 552 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: R. DeBruycker.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 562 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Benedict, R. DeBruycker, McCaffree.
Total 3

Excused: None.
Total 0

Absent or not voting: Barnhart, Raney.
Total 2

HB 580 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Gervais.
Total 1

HB 585 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 591 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 68

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Gilbert, Grinde, H. S. Hanson, Hayne, R. Johnson, Kasten, Keller, Lee, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 610 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cohen, Connelly, Measure, Raney.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 613 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Boharski, Brooke, Cody, J. DeBruycker, Gervais, Larson, Lee, Peck, Russell.
Total 9

Excused: None.
Total 0

Absent or not voting: Cohen, Toole.
Total 2

HB 622 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: O'Keefe.

Total 1

Excused: None.

Total 0

Absent or not voting: Gervais.

Total 1

HB 635 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Cody, Lee, Peck, J. Rice, Wallin.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 648 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, R. DeBruycker, Feland, Hayne, J. Johnson, Kasten, L. Nelson, Stepler.
Total 8

Excused: None.
Total 0

Absent or not voting: Benedict.
Total 1

HJR 12 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 13 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker, R. Johnson.
Total 2

Excused: None.
Total 0

Absent or not voting: S. J. Hansen.
Total 1

HJR 14 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Gilbert.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 16 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Bradley, Ellis.
Total 2

HJR 17 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Ellison, H. S. Hanson, Spring.
Total 3

Excused: None.
Total 0

Absent or not voting: Gould.
Total 1

MOTIONS

Representative Driscoll moved HB 925 be taken from the Committee on State Administration and rereferred to the Committee on Local Government. Motion carried.

Representative Driscoll moved HB 912 be taken from the Committee on Highways and Transportation and rereferred to the Committee on Judiciary. Motion carried.

Representative Becker moved the rules be suspended to allow her to be recorded as voting yes on HB 377, third reading, the 37th legislative day. Motion carried.

Representative M. Hanson, on behalf of Representative Boharski, moved he be allowed to change his vote on HB 648, third reading, from no to yes. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/19/91

Correctly enrolled: HB 14, HB 22, HB 318, HB 323, HB 373.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 12:45 p.m., Wednesday, February 20, 1991. Motion carried.

House adjourned at 2:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 20, 1991

House Chambers
State Capitol

House convened at 12:50 p.m. Mr. Speaker Pro Tempore in the Chair.
Invocation by Representative Stickney. Pledge of Allegiance to the Flag.

Roll call. All members present except Cobb, Lee, excused. Quorum present.

Mr. Speaker Pro Tempore: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-third legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/20/91

Correctly printed: HB 275, HB 276, HB 284, HB 346, HB 364, HB 407, HB 415, HB 417, HB 451, HB 462, HB 470, HB 501, HB 504, HB 530, HB 538, HB 555, HB 567, HB 581, HB 589, HB 625, HB 631, HB 674, HB 679, HB 691, HB 697, HB 715, HB 741, HB 758, HB 765, HB 776, HB 779, HB 784, HJR 27.

Correctly engrossed: HB 258, HB 309, HB 390, HB 713, HB 756, HB 769, HJR 35.

Correctly enrolled: HB 207, HB 372, HB 427.

Examined by the sponsor and found to be correct:

HB 207 - Barnett

HB 372 - Gould

HB 427 - G. Beck

Signed by the Speaker at 1:40 p.m., 2/19/91: HB 14, HB 22, HB 318, HB 323, HB 373.

Delivered to the Governor for his approval at 12:40 p.m., 2/20/91: HB 14, HB 22, HB 318, HB 323, HB 373.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/19/91

HB 655, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "ACT" on line 4

Strike: remainder of line 4 through "PERMITTING" on line 5

Insert: "TO PERMIT"

2. Title, lines 7 through 9.

Following: "APPLIANCES;" on line 7

Strike: remainder of line 7 through "MARSHAL;" on line 9

3. Title, line 9.

Following: "AMENDING"

Strike: remainder of line 9

Insert: "SECTION"

4. Page 1, lines 13 through 23.

Strike: lines 13 through 23 in their entirety

Insert: "Because many areas of Montana lack access to natural gas, it is necessary and desirable that energy alternatives be available. The legislature declares that below-grade liquefied petroleum gas appliances are not inherently hazardous if properly installed and further determines that it is appropriate to allow below-grade liquefied petroleum gas appliances to be installed in single-family dwellings notwithstanding the prohibition on the installation of those appliances by the Uniform Mechanical Code and the Uniform Plumbing Code. It is the intent of the legislature that the department of commerce adopt rules governing installation requirements for below-grade liquefied petroleum gas-burning appliances in single-family dwellings."

5. Page 2, line 1 through page 3, line 12.

Strike: section 1 in its entirety

Renumber: subsequent section

6. Page 4, lines 3 through 5.

Following: "shall" on line 3

Strike: remainder of line 3 through "50-3-103" on line 5

Insert: "adopt rules that permit the installation of below-grade liquefied petroleum gas-burning appliances in single-family dwellings"

And, as amended, do pass. Report adopted.

HB 816, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: line 9

Insert: "(4) 'Manufacturer' has the meaning applied to that word in 61-4-201."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):

2/13/91

HB 594, introduced bill, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

2/20/91

HB 37, introduced bill, be amended as follows:

1. Title, line 7.

Following: "PERISHABLE"

Strike: "AGRICULTURAL SEEDS"

Insert: "SEED POTATOES"

2. Title, line 8.

Following: ":",

Insert: "TO REQUIRE THAT A PERMIT BE OBTAINED; AMENDING SECTION 61-10-128, MCA;"

3. Page 1, line 11.

Insert: "STATEMENT OF INTENT"

It is the intent of the legislature to allow the department of highways to require vehicles transporting perishable seed potatoes on restricted roads to be routed to the nearest road that is not restricted, even if the routing is not the shortest route to the destination."

4. Page 1, line 13.

Following: line 12

Insert: "Section 1. Section 61-10-128, MCA, is amended to read:

"61-10-128. (Temporary) When authorities may restrict right to use roadway. (1) Neither the department nor a local authority may alter the limitations provided in 61-10-101 through 61-10-110 or substitute other limitations or requirements, except as provided in this section.

(2) The department of highways by order, or a local road authority by ordinance or resolution, may prohibit the operation of or impose restrictions on the weight and speed of a vehicle traveling on a public highway under its respective jurisdiction and for which it is responsible for maintenance whenever the highway will be seriously damaged or destroyed by deterioration, rain, snow, or other climatic conditions, unless the use of vehicles on the highway is prohibited or the permissible vehicle weights and speed are reduced. The department of highways or the authority which enacts the ordinance or resolution shall erect signs designating the department's order or the authority's ordinance or resolution at each end of that portion of the highway affected, and the order or ordinance or resolution is not effective until the signs are erected. The department, or the authority by ordinance or resolution, may prohibit the operation of trucks or other commercial vehicles, or impose limitations on their weight on designated highways, subject to the provisions of subsection (3). These prohibitions and limitations shall be designated by appropriate signs placed on the highways.

(3) Neither the department nor a local authority may prohibit the operation of or impose a restriction on the weight of a vehicle loaded with perishable ~~agricultural seeds~~ seed potatoes that is traveling on a public highway if:

(a) the vehicle is being operated within its legal licensed gross vehicle weight; and

(b) a permit has been issued under 61-10-107(3), regardless of the vehicle's gross weight, specifying the route from point of loading to the nearest nonrestricted road; and

~~(b)(c)~~ the driver has in his possession a federal-state inspection certificate issued for the load.

(4) A permit issued under subsection (3) may be revoked for violating any condition of the permit.

61-10-128. (Effective July 1, 1991) When authorities may restrict right to use roadway. (1) A local authority may not alter the limitations provided in 61-10-101 through 61-10-110 or substitute other limitations or requirements, except as provided in this section.

(2) The department of highways by order, or a local road authority by ordinance or resolution, may prohibit the operation of

or impose restrictions on the weight and speed of a vehicle traveling on a public highway under its respective jurisdiction and for which it is responsible for maintenance whenever the highway will be seriously damaged or destroyed by deterioration, rain, snow, or other climatic conditions, unless the use of vehicles on the highway is prohibited or the permissible vehicle weights and speed are reduced. The department of highways or the authority which enacts the ordinance or resolution shall erect signs designating the department's order or the authority's ordinance or resolution at each end of that portion of the highway affected, and the order or ordinance or resolution is not effective until the signs are erected. The department, or the authority by ordinance or resolution, may prohibit the operation of trucks or other commercial vehicles, or impose limitations on their weight on designated highways. These prohibitions and limitations shall be designated by appropriate signs placed on the highways.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 557, introduced bill, do pass. Report adopted.

HB 570, introduced bill, do pass. Report adopted.

HB 573, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 867, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "GRANT THE"

Insert: "EXTEND"

2. Title, line 5.

Following: "OVER"

Insert: "REGULATED MOTOR CARRIERS WHILE TRAVELING ON"

3. Title, lines 7 and 8.

Following: "69-12-101" on line 7

Strike: remainder of line 7 through "69-12-421," on line 8

4. Page 2, lines 6 and 7.

Strike: lines 6 and 7 in their entirety

Renumber: subsequent subsections

5. Page 2, line 20.

Following: "~~publie~~"

Insert: "public"

6. Page 2.

Following: line 24

Insert: "(9) "Public highway" means a public street, road, highway, or way in this state."

7. Page 3.

Following: line 1

Insert: "(11) "Regular route" includes all segments of roads or ways between termini, including public highways and any private roads or ways."

8. Page 3, line 2 through page 8, line 20.

Strike: sections 2 through 7 in their entirety

Renumber: subsequent section

9. Page 8, line 25.

Following: "~~public~~"

Insert: "public"

Following: "highways"

Insert: "or connecting private roads or ways"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/19/91

HB 860, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "ALLOWING"

Insert: "REQUIRING"

2. Title, line 6.

Strike: "DESIGNATED SMOKING AREAS"

Insert: "AT LEAST ONE DESIGNATED SMOKING AREA IN EACH STATE BUILDING"

3. Page 2, line 12.

Strike: "may"

Insert: "shall"

Following: "establish"

Insert: "at least one"

4. Page 2, line 13.

Strike: "areas"

Insert: "area"

5. Page 2, line 13.

Strike: "agency"

Insert: "building"

6. Page 3.

Following: line 14

Insert: "(4) In buildings of historical significance, the department shall place signs that are aesthetically pleasing and that fit the architectural style of the building."

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

2/19/91

HB 788, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "REPEALING"
Insert: "AMENDING"

2. Title, line 11.
Following: "SECTIONS"
Insert: "41-1-405,"
Following: "50-20-104"
Insert: ", "

3. Title, line 12.
Strike: "41-1-405,"

4. Title, line 13.
Following: "50-20-106,"
Insert: "AND"
Strike: "50-20-108, AND 50-20-112,"

5. Page 3, line 1.
Following: "shall"
Insert: "address all of the following matters in a manner he considers appropriate in the exercise of his professional judgment"

6. Page 3, line 2.
Strike: "discuss"

7. Page 3, line 4.
Following: "and"
Insert: "discuss"

8. Page 3, line 7.
Strike: "explain"

9. Page 3, line 11.
Strike: "explain"

10. Page 3, line 12.
Strike: "is"
Insert: "begins;"

11. Page 3, lines 13 through 15.
Strike: line 13 through line 15 in their entirety

12. Page 3, line 16.
Strike: "explain to the minor"

13. Page 3, line 24.
Strike: "explain"

14. Page 4, line 2.
Following: "request;"
Insert: "and"

15. Page 4, line 3.

Strike: "explain"

16. Page 4, line 6.

Strike: "; and"

Insert: "."

17. Page 4, line 7.

Strike: "(g)"

Insert: "(2) The physician or counselor shall"

Renumber: subsequent subsections

18. Page 5, line 23.

Following: "37-22-305;"

Insert: "or"

19. Page 5, line 25 through page 6, line 1.

Strike: "; or" on page 5, line 25 through "worker" on page 6, line 1.

20. Page 7, line 7.

Strike: ";

21. Page 7, line 8.

Strike: "[a]"

Strike: "; or"

22. Page 7, lines 9 through 11.

Strike: "[b]" on line 9 through "certified" on line 11

23. Page 8.

Following: line 15

Insert: "(2) An abortion may not be performed within the state of Montana after viability of the fetus unless in appropriate medical judgment the abortion is necessary to preserve the life or health of the mother."

Renumber: subsequent subsection

24. Page 8.

Following: line 18

Insert: "Section 6. Section 41-1-405, MCA, is amended to read:

"41-1-405. Emergencies and special situations. (1) Any health professional may render or attempt to render emergency service or first aid, medical, surgical, dental, or psychiatric treatment, without compensation, to any injured person or any person regardless of age who is in need of immediate health care when, in good faith, the professional believes that the giving of aid is the only alternative to probable death or serious physical or mental damage.

(2) Any health professional may render nonemergency services to minors for conditions which will endanger the health or life of the minor if services would be delayed by obtaining consent from spouse, parent, parents, or legal guardian.

(3) No consent shall be required of any minor who does not possess the mental capacity or who has a physical disability

which renders him incapable of giving his consent and who has no known relatives or legal guardians, if a physician determines the health service should be given.

~~(4) Self consent of minors shall not apply to sterilization or abortion."~~

Renumber: subsequent sections

25. Page 8, line 19.

Strike: "41-1-405,"

26. Page 8, line 20.

Following: "50-20-106,"

Insert: "and"

Strike: "50-20-108, and"

27. Page 8, line 21.

Strike: "50-20-112,"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 2/20/91
HB 643, introduced bill, be amended as follows:

1. Title, line 7.

Following: "STATE"

Strike: "INSTITUTION"

Insert: "AGENCY"

2. Page 1.

Following: line 14

Insert: "(1) "Agency" means an agency as defined in 2-18-101."

Renumber: subsequent subsections

3. Page 1, lines 16 and 24.

Page 2, line 8.

Strike: "institution"

Insert: "agency"

4. Page 1, lines 17 and 18.

Strike: subsection (2) in its entirety.

Renumber: subsequent subsection

5. Page 2, line 2.

Following: "agencies"

Strike: "; and"

Insert: ". Preference must be given to the more senior employee who meets minimal job qualifications or who can meet job qualifications with retraining as provided in [section 4(1)(d)]."

6. Page 2, line 16.

Following: "state"

Insert: "for a qualified employee who has at least 5 years of service"

Following: ","

Insert: "and"

7. Page 2, line 18.

Following: "expense"

Strike: "; and"

Insert: "if the employee has at least 5 years of service and the total costs do not exceed \$2,000."

8. Page 2, lines 19 and 20.

Strike: subsection (1)(e) in its entirety

9. Page 2, line 21.

Following: "employee"

Strike: "chooses to seek"

Insert: "secures"

Following: "job"

Insert: "in the state"

10. Page 2, line 23.

Following: "an"

Strike: "institution"

Insert: "agency"

11. Page 2, line 25.

Following: "state"

Insert: "if the employee has at least 5 years of service and the total relocation costs do not exceed \$1,000"

12. Page 3, line 2.

Following: "expense"

Insert: "if the employee has at least 5 years of service and the total costs do not exceed \$2,000"

13. Page 3, line 4.

Following: "expense"

Insert: "for a period up to 6 months and not exceeding a total cost of \$500"

14. Page 3, line 7.

Following: "less"

Insert: ", for an employee with 5 years or more of service"

15. Page 3, line 11.

Following: "service" on line 10

Strike: "with the institution"

16. Page 3, lines 13 through 18.

Strike: subsection (3) in its entirety

Re-number: subsequent subsection

17. Page 3, line 25.

Following: "the"

Strike: "institution"

Insert: "agency"

And, as amended, do pass. Report adopted.

HB 846, introduced bill, be amended as follows:

1. Title, line 6.

Following: "SERVICES"

Strike: "AFTER"

Insert: "WHEN"

2. Page 4, line 5.

Page 7, line 6.

Following: "inspection"

Strike: "after"

Insert: "when"

And, as amended, do pass. Report adopted.

HB 857, introduced bill, be amended as follows:

1. Page 3, line 23.

Following: "costs"

Insert: "and quality"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

2/20/91

HB 722, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/19/91

HB 274, introduced bill, be amended as follows:

1. Title, line 9.

Following: "AN"

Insert: "IMMEDIATE"

2. Page 7, line 17.

Strike: "July 1, 1991"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

HB 606, introduced bill, be amended as follows:

1. Page 2, line 9.

Following: "solicit"

Insert: "county election administrators and"

2. Page 2, lines 12 and 13.

Following: "the" on line 12

Strike: remainder of line 12 through "officers" on line 13

Insert: "participating county election administrators"

3. Page 2, lines 14 and 15

Following: "shall"

Strike: remainder of line 14 through "program" on line 15

Insert: "facilitate the participation of as many schools in the program as available funds and other circumstances allow"

4. Page 2, line 18.

Strike: "Curriculum"

Insert: "Program"

5. Page 2, line 20.

Strike: "curriculum"

Insert: "program"

6. Page 3, line 7.

Strike: "curriculum"

Insert: "program"

And, as amended, do pass. Report adopted.

HB 650, introduced bill, be amended as follows:

1. Title, line 6.

Following: "SAME"

Strike: "OR SIMILAR POSITIONS"

Insert: "POSITION"

2. Page 1, lines 20 and 21.

Following: "positions"

Strike: remainder of line 20 through "positions" on line 21

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/19/91

SB 122, introduced by Weeding

SB 172, introduced by Svrcek

SB 189, introduced by T. Beck

SB 195, introduced by Bengtson

SB 205, introduced by Eck

SB 224, introduced by Vaughn

SB 250, introduced by Keating

SB 252, introduced by Svrcek

SB 154, introduced by Nathe, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 2/19/91 to the House with the following vote:

YEAS - 50

NAYS - 00

SB 246, introduced by Nathe, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 2/19/91 to the House with the following vote:

YEAS - 49

NAYS - 01

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 947, introduced by McCaffree, Williams, referred to Committee on Taxation

HB 948, introduced by R. Johnson, Halligan, Strizich, referred to Committee on Human Services and Aging

HB 949, introduced by Tunby (by request of the Department of Social and Rehabilitation Services), referred to Committee on Taxation

HB 950, introduced by Brooke, Becker, Wyatt, Russell, Messmore, Cocchiarella, Hansen, J. Brown, Eck, Bradley, Strizich, S. Rice, Stickney, referred to Committee on Human Services and Aging

HB 951, introduced by Driscoll, Yellowtail, Clark, Rea, Vaughn, Pipinich, Harper, Schye, referred to Committee on Fish and Game

HB 952, introduced by Raney, Ream, Farrell, T. Beck, Halligan, Grosfield, Tveit, Van Valkenburg, Pinsonneault, Nathe, Wanzonried, Mercer, Thomas, Benedict, Fritz, referred to Committee on Local Government

HB 953, introduced by S. Rice, Kilpatrick, Dowell, Larson, Benedict, Knox, Barnett, Pavlovich, Scott, McCulloch, Ellis, Wallin, Tunby, H.S. Hanson, Hansen (by request of the Committee on Business and Economic Development), referred to Committee on Business and Economic Development

HB 954, introduced by J. Johnson, Waterman, Darko, Davis, referred to Committee on Appropriations

HB 955, introduced by Harper, Mazurek, referred to Committee on State Administration

HB 956, introduced by O'Keefe, Peck, Ream, Harper, Yellowtail, referred to Committee on Natural Resources

HJR 40, introduced by S. Rice, Hansen, Elliott, L. Nelson, Nisbet, Cody, Scott, Stepler, Menahan, Quilici, Forrester, referred to Committee on Human Services and Aging

HJR 41, introduced by L. Nelson, Jergeson, Elliott, Scott, Stepler, Cody, G. Beck, Schye, Barnett, Keller, J. DeBruycker, Bardanouve, Bachini, Madison, Hayne, Larson, R. DeBruycker, M. Hanson, J. Johnson, McCaffree, Phillips, Williams, Nathe, Devlin, Tveit, Aklestad, Bruski, Rea, Koehnke, T. Beck, Swift, Foster, Bergsagel, Weeding (by request of the House Agriculture, Livestock, and Irrigation Committee), referred to Committee on Agriculture, Livestock, and Irrigation

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Elliott in the Chair.

Mr. Speaker Pro Tempore: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 380 - Representative Daily moved HB 380 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker Pro Tempore in the Chair. Chairman Elliott moved the adoption of the committee report. Report adopted. (95-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 212 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Larson,

Madison, McCarthy, McCulloch, Measure, Menahan, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Nisbet, Peck, Peterson, Phillips, J. Rice, Schye, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 46

Voted Absentee: Cobb, Aye.

Excused: None.
Total 0

Absent or not voting: L. Nelson.
Total 1

HB 577 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: None.
Total 0

HB 734 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,

Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Cobb.
Total 1

Absent or not voting: Cromley.
Total 1

HJR 29 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: R. DeBruycker, Simpkins.
Total 2

Excused: Cobb.
Total 1

Absent or not voting: Quilici.
Total 1

MOTIONS

Representative Driscoll moved HB 415 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 952 be taken from the Committee on Local Government and rereferred to the Committee on Natural Resources. Motion carried.

Representative Driscoll moved the House recess until 2:45 p.m. Motion carried.

House recessed at 1:20 p.m.

House reconvened at 2:50 p.m. Mr. Speaker Pro Tempore in the Chair.

Mr. Speaker Pro Tempore: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-fourth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/20/91
Signed by the Speaker at 1:00 p.m., 2/20/91: HB 207, HB 372, HB 427,
SB 39, SB 83, SJR 8.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 2/20/91

HB 683, introduced bill, do pass. Report adopted.

HB 739, introduced bill, do pass. Report adopted.

HB 819, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "and"

Insert: "includes at least one member"

Following: "governments"

Insert: ", "

2. Page 4, line 18.

Following: "opportunities"

Insert: "for tourism"

And, as amended, do pass. Report adopted.

HB 863, introduced bill, be amended as follows:

1. Page 7, line 1.

Following: "transaction"

Strike: "by"

Insert: "in the securities of"

2. Page 15, line 7.

Strike: "and"

3. Page 15, line 15.

Following: "stage."

Insert: "small business"

4. Page 15, line 16.

Following: "programs"

Insert: ", and projects emerging from economic development programs of Montana certified communities"

5. Page 15, lines 18 through 20.

Following: "limited" on line 18

Strike: remainder of line 18 through "communities." on line 20

Insert: "; and

(c) consider investment opportunities originating in any Montana county."

6. Page 16, line 4.

Strike: "qualified"

Insert: "certified"

7. Page 17, line 23.

Following: line 22

Insert: "(c) If the legislature provides additional tax credits under this chapter after June 30, 1991, or if tax credits become available by reversion to the board by a capital company or by the qualified Montana small business investment capital company, those additional or reverted tax credits may be allocated by the board to qualified capital companies or to the qualified Montana small business investment capital company in accordance with this chapter and the rules of the board."

8. Page 20, line 7.

Strike: "a partner or shareholder in"

9. Page 24, line 25.

Strike: "and"

Insert: "or"

10. Page 25, line 3.

Following: "chapter"

Insert: "except as provided in subsection (2)(a)"

11. Page 29, line 16.

Strike: "each"

Insert: "the qualified"

And, as amended, do pass. Report adopted.

HB 870, introduced bill, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):

2/20/91

HB 495, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "MANAGEMENT SYSTEM"

Insert: "POLICY"

2. Title, line 6.

Following: "PARKS"

Insert: "AND FISHING ACCESS SITES"

3. Title, line 7.

Strike: "SYSTEM"

Insert: "POLICY"

4. Page 1, line 10.

Following: "parks"

Strike: "system"

Insert: "and fishing access site systems"

5. Page 1, line 12.

Following: "parks"

Insert: "and fishing access sites"

6. Page 1, line 18.

Following: "parks"

Insert: "and fishing access sites"

7. Page 1, line 19.

Following: "park"

Insert: "and fishing access site"

8. Page 1, line 20.

Following: "park"

Insert: "or fishing access site"

9. Page 1, line 25.

Following: "park"

Insert: "and fishing access site"

10. Page 2, line 5.

Following: "park"

Insert: "or fishing access site"

Following: "required"

Strike: "hearing"

Insert: "public involvement"

11. Page 2, line 6.

Strike: "system"

Insert: "policy"

12. Page 2, line 8.

Following: "park"

Insert: "or fishing access site"

Following: "that"

Strike: "exceeds a cost of \$25,000"

Insert: "significantly changes park or fishing access site features or use patterns"

13. Page 2, lines 8 and 9.

Following: "to" on line 8

Strike: "public" through "input" on line 9

Insert: "notice of proposed modifications, both statewide and locally, and to opportunity for a public meeting and public comment"

14. Page 2, lines 15 and 16.

Following: "expressed" on line 15

Strike: remainder of line 15 through "hearing" on line 16

Insert: "to the department"

15. Page 2, line 17.

Following: "park"

Insert: "or fishing access site"

16. Page 2, line 22.

Following: "park"

Insert: "or fishing access site"

Following: "features;"

Strike: "and"

17. Page 2, line 23.

Following: "tourism"

Insert: "; and

(g) site-specific modifications as they relate to the park or fishing access site system as a whole"

And, as amended, do pass. Report adopted.

HB 556, introduced bill, be amended as follows:

1. Title, line 9.

Following: "ANIMALS;"

Insert: "RESTRICTING THE IMPORTATION OF CERTAIN SPECIES FOR GAME FARM PURPOSES;"

2. Page 2, line 8.

Strike: "individual"

Insert: "ownership"

3. Page 2, line 23.

Following: "animal"

Insert: "or animals"

4. Page 3, line 1.

Strike: "and"

Insert: "or"

5. Page 3, line 2.

Strike: "individual"

Insert: "age, sex, and class of"

6. Page 3, line 4.

Strike: "the"

Insert: "any"

Strike: "certificate"

Insert: "certifications"

7. Page 3, line 7.

Strike: "30"

Insert: "10"

Strike: "disposition"

Insert: "movement or sale"

8. Page 5, line 8.

Strike: "licensee"

Insert: "person"

9. Page 5, line 9.

Strike: "less"

Insert: "more"

10. Page 5, line 10.

Strike: "state prison"

Insert: "county jail"

Strike: "less"

Insert: "more"

11. Page 6, line 12.

Following: line 11

Insert: "NEW SECTION. Section 8. Importation of certain species prohibited. (1) The following species or subspecies and their hybrids with native species are restricted from importation for purposes of game farming:

(a) all Eurasian subspecies of red deer unless surgically sterilized or neutered;

(b) all Eurasian sheep and goats in the subfamily Caprinae of the Caprini tribe unless surgically neutered; and

(c) white-tailed deer from east of the 100th meridian in North America.

(2) The department or the department of livestock may add other species that are determined through scientific investigation to pose a threat to native wildlife or livestock through nonspecific genetic dilution, parasites, or disease.

NEW SECTION. Section 9. Codification instruction. [Section 8] is intended to be codified as an integral part of Title 87, chapter 4, part 4, and the provisions of Title 87, chapter 4, part 4, apply to [section 8]."

And, as amended, do pass. Report adopted.

HB 576, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 2/20/91
HB 618, introduced bill, do pass. Report adopted.
HB 797, introduced bill, do pass. Report adopted.
HB 864, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

LEGISLATIVE ADMINISTRATION (Menahan, Chairman): 2/20/91
HJR 23, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 2/20/91
HB 293, introduced bill, do pass. Report adopted.
HB 294, introduced bill, do pass. Report adopted.
HB 829, introduced bill, do pass and be placed on the consent calendar.
Report adopted.
HB 848, introduced bill, do pass. Report adopted.
HJR 25, introduced bill, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 957, introduced by J. Johnson, Hammond, Bruski, Weeding, Menahan, Devlin, Swysgood, Pavlovich, Tunby, Stepler, H.S. Hanson (by request of the Department of Institutions), referred to Committee on State Administration
HB 958, introduced by Darko (by request of the Department of Justice), referred to Committee on Judiciary
HB 959, introduced by Harrington, referred to Committee on Taxation
HB 960, introduced by J. Rice, Grady, referred to Committee on Education and Cultural Resources

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 728: Waterman.

The following sponsors were added to HB 788: Toole, S. Rice, L. Nelson, J. Johnson, Cocchiarella, Gervais, Kadas, Southworth, Wanzonried, O'Keefe, Franklin, Blaylock, Bradley, Dowell, Wyatt, Becker, Raney, Vaughn, Jacobson, Halligan.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 961, introduced by R. DeBruycker (by request of the Department of Institutions), referred to Committee on Labor and Employment Relations

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Thursday, February 21, 1991. Motion carried.

House adjourned at 3:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 21, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend Gary Hawk. Pledge of Allegiance to the Flag.

Roll call. All members present except Becker, Boharski, Brooke, D. Brown, Clark, Forrester, Gould, Hansen, R. Johnson, Keller, Lee, Measure, Messmore, L. Nelson, Raney, J. Rice, Russell, Schye, Stickney, Strizich, Toole, Whalen, Wyatt, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-fifth and thirty-sixth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/21/91
Correctly printed: HB 37, HB 274, HB 293, HB 294, HB 495, HB 556, HB 557, HB 570, HB 576, HB 594, HB 606, HB 618, HB 643, HB 650, HB 655, HB 683, HB 722, HB 739, HB 788, HB 797, HB 816, HB 819, HB 846, HB 848, HB 857, HB 860, HB 863, HB 867, HB 870, HJR 23, HJR 25.

Correctly engrossed: HB 380, HB 573, HB 829, HB 864.

Correctly enrolled: HB 16, HB 119, HB 280.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 2/21/91

HB 549, introduced bill, be amended as follows:

1. Page 3, line 21.

Following: "a"

Strike: "full-time"

2. Page 5, line 16.

Strike: "shall"

Insert: "may"

3. Page 5, line 18.

Following: "÷"

Insert: "·"

4. Page 5, line 19.

Following: "{a}"

Insert: "(a)"

5. Page 5, line 20.

Following: "÷"

Insert: "·"

6. Page 5, line 21.

Following: "{b}"

Insert: "(b)"

Strike: "or"

7. Page 5, lines 23 and 24.

Following: "county" on line 23

Strike: ", or both"

8. Page 6, line 1.

Following: "~~and~~"

Insert: "; and"

9. Page 6, line 4.

Following: "~~7-6-2536~~"

Insert: "(c) levying a tax in excess of 5 mills if authorized by a majority of the qualified electors voting in an election held for this purpose pursuant to 7-6-2531 through 7-6-2536"

And, as amended, do pass. Report adopted.

HB 574, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "WEED"

Insert: "BIOLOGICAL"

2. Page 1, line 17.

Page 5, line 8.

Page 6, line 19.

Strike: "weed"

3. Page 2, lines 10 and 13.

Page 6, lines 2, 10, 15, and 22

Page 7, lines 6 and 13

Page 8, lines 9 and 24

Page 9, line 3

Page 10, lines 6 and 8

Strike: "15"

Insert: "16"

4. Page 2, line 11.

Strike: "Weed"

5. Page 2, line 19.

Strike: "the"

6. Page 2, line 20.

Page 4, line 23.

Strike: "of weeds"

7. Page 3, line 4.

Strike: "the"

Following: "control"

Strike: "of weeds"

8. Page 3, line 14.

Page 5, line 19.

Page 7, lines 15, 18, 20, and 25.

Strike: "weed"

Insert: "biological"

9. Page 3, line 16.

Page 4, line 5.

Following: "of"

Insert: "insects or"

10. Page 3, line 18.

Following: "of"

Insert: "insect or"

11. Page 3, line 20.

Following: "fee"

Insert: "-- exception"

12. Page 4, line 6.

Following: first "the"

Insert: "insects or"

Following: "weeds"

Insert: "that"

13. Page 4, line 9.

Strike: "person making application"

Insert: "department"

Following: "obtain"

Insert: "a"

14. Page 4, line 10.

Strike: "verification"

Insert: "recommendation"

15. Page 4, line 12.

Strike: "that the"

Insert: "regarding the establishment of an"

Strike: "does not"

Insert: "that may"

16. Page 4, line 16.

Following: "site"

Insert: ", except for sites maintained by government agencies or units of the
Montana university system"

17. Page 6, lines 13 and 18.

Strike: "14"

Insert: "15"

18. Page 6, line 16.

Following: line 15

Insert: NEW SECTION. Section 9. Confidentiality of records. All insectary or site registration information required in [sections 4 through 7] must be kept confidential by the department and may not be disclosed, except:

- (1) upon written permission of the registrant;
- (2) in actions or administrative proceedings commenced under the provisions of [sections 1 through 16];
- (3) when required by subpoena or court order;
- (4) when disclosed to law enforcement agencies in connection with the investigation or prosecution of criminal offenses; or
- (5) when summarized in department program reports that do not include site-specific or registrant-specific information."

Renumber: subsequent sections

19. Page 7, line 7.

Page 8, line 21.

Strike: "12"

Insert: "13"

20. Page 8, line 5.

Strike: "10"

Insert: "11"

21. Page 9, line 21.

Strike: "11"

Insert: "12"

And, as amended, do pass. Report adopted.

HB 771, introduced bill, be amended as follows:

1. Title, lines 9 and 10.

Strike: "ELIMINATING" on line 9 through ";" on line 10

2. Title, lines 18 and 19.

Strike: "REMOVING" on line 18 through ";" on line 19

3. Page 2, line 17.

Following: "~~80-4-604~~"

Insert: "and 80-4-604"

4. Page 8, line 7.

Following: "~~FOR~~"

Insert: "IT MUST BE EXCHANGED FOR"

5. Page 8, lines 7 and 8.

Strike: "WILL" on line 7 through "REQUEST" on line 8

6. Page 11, line 2.

Following: "issued"

Insert: "when storage is charged but"

7. Page 15, line 22.

Following: "~~80-4-405~~."

Insert: "The minimum amount of bond required by any commodity dealer is \$20,000, and the maximum is prescribed in 80-4-405."

And, as amended, do pass. Report adopted.

HB 814, introduced bill, be amended as follows:

1. Page 3, line 17.

Following: " 1 "

Insert: "The canal projects to be disposed of include the:

- (i) Columbus canal;
 - (ii) Delphia-Melstone canals;
 - (iii) Hysham pumping canals;
 - (iv) Livingston ditch;
 - (v) Florence canal;
 - (vi) Paradise canal;
 - (vii) Park Branch canal;
 - (viii) Sidney pumping canals;
 - (ix) South Side canal;
 - (x) Vigilante canal; and
 - (xi) West Bench canal.
- (b)"

Renumber: subsequent subsection

2. Page 4, lines 1 through 4.

Strike: "may" on line 1 through "project" on line 4

Insert: "shall make a payment not to exceed any previous 1-year cost of operating and maintaining the canal project"

And, as amended, do pass. Report adopted.

HB 840, introduced bill, be amended as follows:

1. Title, line 5.

Strike: ", MOVEMENT,"

2. Page 3, line 5.

Strike: " movement "

3. Page 3, line 12.

Strike: " 1 "

4. Page 3, line 13.

Strike: "movement "

5. Page 3, line 14.

Strike: "hay, straw,"

6. Page 4, line 4.

Strike: " movement "

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/21/91

HB 169, introduced bill, be amended as follows:

1. Title, lines 4 through 10.

Following: "ENTITLED: AN ACT"

Strike: remainder of line 4 through line 10

Insert: "CREATING A TIMBER SCALING CHECK PROGRAM WITHIN THE DEPARTMENT OF COMMERCE; CREATING AND ESTABLISHING DUTIES FOR A TIMBER SCALING REVIEW BOARD; ESTABLISHING FEES TO FUND THE TIMBER SCALING CHECK PROGRAM; CREATING A TIMBER SCALING SPECIAL REVENUE ACCOUNT; AMENDING SECTIONS 76-13-408 AND 76-13-414, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

2. Page 1, line 13 through page 2, line 3.

Following: line 12

Strike: line 13 through page 2, line 3

Insert: "A statement of intent is required for this bill to provide guidance to the department of commerce concerning the adoption of rules to establish a program to check the accuracy and consistency of timber scaling practices in Montana. The legislature directs the department of commerce to adopt rules to periodically monitor timber scale and provide assistance to timber harvesters with complaints regarding timber scaling. The frequency of the scaling checks must be sufficient to act as a deterrent to inaccurate and inconsistent scaling, and equally important, the scaling check program must address the concerns of those whose livelihoods depend on the log scale. It is the further intent of the legislature that the department employ one full-time employee to check timber scaling practices in Montana. This employee must have the authority to conduct unannounced scale checks on public and private property as needed to accomplish the goals of this bill."

3. Pages 2 through 8.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Definitions. As used in [sections 1 through 5 and 8], the following definitions apply:

(1) "Board" means the timber scaling review board as provided in [section 4].

(2) "Department" means the department of commerce as provided for in 2-15-1801.

(3) "Handbook" means the National Forest Log Scaling Handbook published by the United States department of agriculture--forest service.

NEW SECTION. Section 2. Timber scaling checks -- department duties. (1) The department, in consultation with the board, shall monitor timber scaling practices in Montana to:

(a) investigate complaints from timber harvesters as provided in [section 5]; and

(b) gather information and facts regarding:

(i) timber scaling practices in Montana; and

(ii) the need for a mandatory state timber scaling program.

(2) The department, upon presentation of credentials, may at reasonable times enter any public or private property to scale timber at locations and in a manner it determines necessary to comply with subsection (1). However, the minimum requirements for a scale check, as provided in subsection (3), must be followed before the department takes action under [section 3].

(3) For the purposes of this section, a scale check must:

(a) be conducted in accordance with the handbook; and

(b) include at least 100 logs and 5,000 board feet. If a variance between the mill scale and the department scale check exceeds the variance established in the handbook, the department shall scale check an additional 250 logs and 10,000 board feet.

(4) After a scale check under subsection (3), a variance between the mill scale and the department scale check that exceeds the variance established in the handbook is a violation of this section.

NEW SECTION. Section 3. Enforcement and penalties.

(1) After conducting a scale check under [section 2], if the department determines that a violation has occurred, the department:

(a) shall, for the first violation, work with the mill scaler and the scaler's employer to identify and correct the mill scaling deficiencies;

(b) may, for the second violation, impose a civil penalty not to exceed \$1,000 on the scaler's employer; or

(c) may, for the third or subsequent violation, impose a civil penalty not to exceed \$5,000 on the scaler's employer.

(2) The department shall consult with the board before imposing a civil penalty under this section.

NEW SECTION. Section 4. Timber scaling review board -- membership and duties. (1) There is a timber scaling review board. The department shall consult with the board on at least a quarterly basis regarding the department's duties under [section 2]. The department shall also consult with the board to determine the qualifications for the department scale checker.

(2) The board is composed of three members. The governor shall appoint the members of the board, selecting them on the basis of their knowledge of timber harvesting and scaling practices. Representation on the board is as follows:

(a) one independent timber harvester;

(b) one timber industry scaler; and

(c) one owner of private timberland.

(3) The board shall report to the governor and the legislature by December 1, 1992. The report must contain information regarding the:

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- (a) department's performance of its duties under [section 2];
 - (b) need for a mandatory state timber scaling program;
 - and
 - (c) resolution of the complaints received under [section 5].
- (4) Members of the board are entitled to compensation as provided in 2-15-122(5).

NEW SECTION. Section 5. Timber harvester complaints.

(1) The department shall give due weight and consideration to any comments or complaints it receives from timber harvesters regarding inaccurate scaling. The department may select a specific harvest or a specific timber purchaser for a scaling check, based on the comments and complaints received.

(2) The department shall keep the identity of the person making the comment or complaint confidential at the request of that person.

(3) The department shall answer in writing each comment or complaint received regarding the department's planned action in response to the comment or complaint.

Section 6. Section 76-13-408, MCA, is amended to read:

"76-13-408. Fire hazard reduction agreement and bond.

(1) Before cutting any forest product, constructing or reconstructing any road in contemplation of cutting any forest product, or conducting timber stand improvement, such as but not limited to thinning, weeding, or pruning, upon private lands within the state, the person conducting the work shall provide for the reduction or management of the fire hazard to be created by entering into a fire hazard reduction agreement or a master fire hazard reduction agreement with the department, providing for the full and faithful compliance with all requirements under this part and the faithful reduction or management of the fire hazard in the manner prescribed by law and by rules adopted by the board.

(2) Either the person conducting the work or the purchaser as provided in 76-13-409(2) shall post a bond to the state in a form and for an amount as may be prescribed by the department, but the amount may not exceed \$6 for each 1,000 board feet (log scale) or the equivalent if forest products other than logs are cut.

(3) Either the person conducting the work or the purchaser as provided in 76-13-409(2) shall also pay 7.5 cents for each 1,000 board feet (log scale) or equivalent if forest products other than logs are cut. The full amount of this money must be deposited in the timber scaling account provided for in [section 8].

(3)(4) The agreement must provide that:

(a) all fire hazard reduction or management work comprising nonburning methods and preparations for burning must be completed within 18 months of commencement of cutting in the area covered by the agreement; and

(b) all burning work must be completed as specified in the agreement and in compliance with rules adopted by the board.

(4)(5) The bond must be released upon the issuance of the certificate of clearance."

Section 7. Section 76-13-414, MCA, is amended to read:

"76-13-414. Fees. (1) In addition to any bond, the department shall charge the contractor fees for administration, inspections, and enforcement work conducted in the exercise of its duties under this part. The fees must be deposited in the state special revenue fund to the credit of the department.

(2) (a) The fee for a fire hazard reduction agreement is \$25 and must be collected by the department upon issuance of the agreement.

(b) In addition, a fee of 60 cents for each 1,000 board feet (log scale) must be charged or an equivalent fee must be charged if products other than logs are cut. This fee must be withheld by the purchaser as provided in 76-13-409(2), except that any fee money withheld for product volumes exceeding 500,000 board feet per agreement in a calendar year must be returned to the contractor by the department.

(3) (a) Fees The fee for master fire hazard reduction agreements must be equal to 100% of the department's actual costs incurred in the administration, inspection, and enforcement of each agreement, and the department shall bill the contractor annually to collect such fees.

(b) In addition, each contractor with a master fire hazard reduction agreement shall also pay to the department 7.5 cents for each 1,000 board feet (log scale) or equivalent if forest products other than logs are cut. The full amount of this money must be deposited in the timber scaling account provided for in [section 8].

(i) The fee provided for in subsection (3)(b) must be paid annually in conjunction with the fee paid under subsection (3)(a).

(ii) The board may, at its discretion, conduct an audit to determine the volume of forest products harvested by a contractor.

(iii) If the board conducts an audit, the contractor shall cooperate and make available to the board all requested records, inventories, and other information relevant to the audit."

NEW SECTION. Section 8. Timber scaling account. (1) There is a timber scaling account in the state special revenue fund provided for in 17-2-102.

(2) There must be deposited in the account:

(a) all revenue from the fire hazard reduction agreement provided for in 76-13-408(3);

(b) all revenue from the master fire hazard reduction agreement provided for in 76-13-414(3)(b);

(c) all money collected under the civil penalty provisions in [section 3]; and

(d) money received by the department in the form of legislative appropriations, reimbursements, gifts, federal funds, or appropriations from any source intended to be used for the purposes of this account.

(3) Money in the account is available to the department of commerce for the uses set forth in subsection (4). Any

unencumbered and unexpended balance in this account remaining at the end of a fiscal year does not lapse but must be carried forward for the purposes of this section until expended or appropriated.

(4) Money in the account may be used by the department only to establish and maintain a timber scaling check program as provided in [section 2].

NEW SECTION. Section 9. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 10. Effective date. [This act] is effective on July 1, 1991.

NEW SECTION. Section 11. Termination. [This act] terminates July 1, 1993."

And, as amended, do pass. Report adopted.

HB 667, introduced bill, be amended as follows:

1. Title, line 5.

Following: "TO"

Strike: "HIRE"

Insert: "FUND"

2. Title, lines 5 and 6.

Following: "STAFF" on line 5

Strike: remainder of line 5 through "POSITION" on line 6

Insert: ", HIRED BY THE DEPARTMENT OF COMMERCE,"

3. Page 1, line 16.

Strike: "Board"

Insert: "Department of Commerce"

4. Page 1, line 18.

Following: "physicians"

Insert: "by the Board"

5. Page 2, line 21.

Strike: "hire"

Insert: "fund"

Following: "staff"

Insert: ", hired by the department,"

6. Page 2, line 22.

Following: "chapter"

Strike: "and increase physician"

Insert: ", by increasing"

7. Page 2, line 23.

Following: "necessary"

Strike: "to fund any additional staff position"

And, as amended, do pass. Report adopted.

HB 672, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "."

Insert: "(1)"

2. Page 1, line 22.

Strike: "individual"

Insert: "individual's"

Strike: "group"

Insert: "an individual group's"

3. Page 2, line 1.

Strike: "(1)"

Insert: "(a)"

4. Page 2, line 3.

Strike: "(2)"

Insert: "(b)"

5. Page 2, line 7.

Following: line 6

Insert: "(2) Subsection (1) does not apply to a premium increase necessitated by a state or federal law, court decision, or rule adopted by an agency of competent jurisdiction of the state or federal government."

6. Page 2, line 9.

Strike: "no"

7. Page 2, line 11.

Following: "services"

Insert: "unless the condition occurred"

8. Page 2, line 12.

Following: "person"

Insert: "or"

9. Page 2, line 13.

Following: "within"

Strike: "6"

Insert: "12"

And, as amended, do pass. Report adopted.

HJR 33, introduced bill, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 2/21/91
HB 335, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND"

Insert: "TO ATTACH TO"

Strike: "CONTIGUOUS"

Insert: "THE SAME"

2. Title, line 7.

Following: "20-6-101,"

Strike: "20-9-402,"

Insert: "20-7-705, 20-9-314,"

Following: "20-9-406,"

Insert: "AND"

Following: "20-9-502,"

Strike: "AND 20-20-101,"

3. Page 1, line 9.

Insert:

"STATEMENT OF INTENT"

A statement of intent is necessary for this bill to clarify that the superintendent of public instruction shall promulgate rules to prescribe procedures for budgeting and for revenue distribution for K-12 school districts formed by the attachment of an elementary district to a high school district. It is the intent of the legislature to encourage the formation of K-12 school districts whenever the trustees and the electorate of districts with the same boundaries choose to do so. In order to facilitate this action, it may be necessary for the superintendent of public instruction to address certain unforeseen circumstances through the rulemaking process."

4. Page 1, line 11.

Strike: everything following the enacting clause and insert

"NEW SECTION. Section 1. K-12 school districts allowed - definition -- procedure for creation. (1) An elementary district with the same district boundaries as a high school district may attach to the high school district for the purpose of establishing a K-12 school district.

(2) For the purposes of Title 20, unless the context clearly indicates otherwise, "K-12 school district" means a high school district with an elementary district that has been attached to the high school district under the procedures provided in this section, with the high school district remaining an organized district under the provisions of 20-6-101 and other provisions of law and the elementary district becoming an inactive district under the provisions of 20-6-101.

(3) The attachment of an elementary district to a high school district to form a K-12 school district must be conducted under the following procedure:

(a) An attachment proposition may be introduced in the districts by either of the following methods:

(i) the trustees may pass a resolution requesting the county superintendent to order an election to consider an attachment proposition involving their districts; or

(ii) not less than 20% of the electors of the elementary district and the high school district who are qualified to vote under the provisions of 20-20-301 may petition the county superintendent, requesting an election to consider an attachment proposition involving their districts.

(b) (i) When the county superintendent receives a resolution or a valid petition from each of the districts included in the attachment proposition, the county superintendent shall, within 10 days after receipt of the last resolution or petition and as provided by 20-20-201, order the trustees of the districts included in the attachment proposition to call an attachment election in conjunction with a regular school election.

(ii) The proposition must include the assumption of the bonded indebtedness of the elementary district by the high school district.

(c) The districts shall call and conduct an election in the manner prescribed in this title for school elections.

(d) After the county superintendent receives the certificate of election provided for in 20-20-416 from the trustees of the districts included in an attachment proposition, the county superintendent shall determine if the attachment proposition has been approved in the districts. If the districts have approved the attachment proposition, the county superintendent shall, within 10 days after receipt of the certificate of election, order the attachment of the elementary district to the high school district to take effect on July 1 of the ensuing school fiscal year. Within 30 days of the order, the county superintendent shall send a copy of the order to the board of county commissioners, the trustees of the districts included in the attachment order, and the superintendent of public instruction.

NEW SECTION. Section 2. Funding for K-12 school districts. (1) Notwithstanding the provisions of subsections (2) through (6), a K-12 school district formed under the provisions of [section 1] is subject to the provisions of law for high school districts.

(2) The number of elected trustees of the K-12 school district must be based on the classification of the attached elementary district under the provisions of 20-3-341 and 20-3-351.

(3) Calculations for the following must be made separately for the elementary school program and the high school program of a K-12 school district:

(a) the calculation of ANB for purposes of determining the foundation program schedule payments must be in accordance with the provisions of 20-9-311;

(b) the basic county tax and revenues for the elementary foundation program amount for the district must be determined in accordance with the provisions of 20-9-331, and the basic special tax and revenues for the high school foundation program amount

for the district must be determined in accordance with 20-9-333; and

(c) the guaranteed tax base aid for the permissive levy amount for a K-12 school district must be calculated separately, using the mill value per elementary ANB and the mill value per high school ANB as defined in 20-9-366. The mills levied in support of the permissive levy of the K-12 school district must be prorated based on the ratio of the general fund budget amounts for elementary school programs to the amounts for high school programs in the year prior to the formation of the K-12 school district.

(4) The retirement obligation and eligibility for retirement guaranteed tax base aid for a K-12 school district must be calculated and funded as a high school district retirement obligation under the provisions of 20-9-501.

(5) For the purposes of budgeting for a K-12 school district, the trustees shall adopt a single fund for any of the budgeted or nonbudgeted funds described in 20-9-201 for the costs of operating all grades and programs of the district.

(6) Tuition for attendance in the K-12 school district must be determined separately for high school pupils and for elementary pupils under the provisions of chapter 5, part 3, except that the actual expenditures used for calculations in 20-5-305 and 20-5-312 must be based on an amount prorated between the elementary and high school programs in the appropriate funds of each district in the year prior to the attachment of the districts.

NEW SECTION. Section 3. Transitions after formation of K-12 school district. (1) When an attachment order for a K-12 school district becomes effective on July 1 under the provisions of [section 1]:

(a) the board of county commissioners shall execute all necessary and appropriate deeds, bills of sale, or other instruments for the conveyance of title to all real and personal property of the elementary district to the high school district;

(b) the trustees of the elementary district shall entrust the minutes of the board of trustees, the elementary district documents, and other records to the high school district to which it is attached; and

(c) the county treasurer shall transfer all end-of-the-year warrants and fund balances of the attached elementary district to the similar funds established for the K-12 school district in the high school district.

(2) All taxes levied by and revenue due from a previous school fiscal year to an elementary district attached to a high school district must be payable to the appropriate fund of the high school district.

(3) The previous year's general fund budget amounts for the elementary district and the high school district that form a K-12 school district must be combined to determine the budget limitation for the ensuing school fiscal year pursuant to 20-9-315.

(4) An elementary district and a high school district that form a K-12 school district under the provisions of [section 1] may

not be considered an enlarged district for the purpose of bonus payments under 20-6-401 through 20-6-408.

NEW SECTION. Section 4. Contracts protected. Whenever an elementary district is attached to a high school district to form a K-12 school district under the provisions of [section 1], a district superintendent, principal, teacher, or other employee of the school districts who has a continuing contract or right of tenure under Montana law is protected, and the board of trustees of the high school district in which the person will perform duties shall recognize and give effect to the contract or right of tenure.

NEW SECTION. Section 5. Dissolution of K-12 school district. The dissolution of a K-12 school district that has been formed by the attachment of an elementary district to a high school district must be conducted by introducing a proposition for dissolution of the K-12 school district by either of the methods set forth in [section 1(3)] for formation of a K-12 school district. Following receipt of a valid petition or resolution, the county superintendent shall order the trustees to call an election on the dissolution proposition. For the dissolution of a K-12 school district, the trustees and the county superintendent shall adhere to the procedures for attachment set forth in [section 1(3)(b) through (3)(d)] regarding an election and any resulting order.

Section 6. Section 20-6-101, MCA, is amended to read:

"20-6-101. Definition of elementary and high school districts. (1) As used in this title, except as defined in 20-9-402 for bonding purposes or unless the context clearly indicates otherwise, the term "district" means the territory, regardless of county boundaries, organized under the provisions of this title to provide public educational services under the jurisdiction of the trustees prescribed by this title. High school districts may encompass all or parts of the territory of one or more elementary districts.

(2) (a) An elementary district is a district organized for the purpose of providing public education for all grades up to and including grade 8 and for preschool programs and kindergartens. An elementary district may be inactive if the district attaches to a high school district under the provisions of [section 1] to form a K-12 school district.

(b) A high school district is a district organized for the purpose of providing those public educational services authorized by this title for all grades beyond grade 8, including postsecondary programs, except those programs administered by community college districts or the Montana university system. A high school district with an attached elementary district may provide the educational services for an elementary district through the procedures established in [sections 1 through 3].

(3) An elementary district ~~shall be~~ is known as "District No. County" and a high school district, except a high school district where a county high school is operated, ~~shall be~~ is known as "High School District No. County". ~~Any A~~ district ~~shall be~~ is a body corporate and, as ~~such~~ a body corporate,

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may sue and be sued, contract and be contracted with, and acquire, hold, use, and dispose of real or personal property for school purposes, within the limitations prescribed by law. Unless the context clearly indicates otherwise, the trustees of elementary districts and high school districts ~~shall~~ have the same types of powers, duties, and responsibilities authorized and imposed by the laws of Montana.

(4) Unless the context clearly indicates otherwise, an elementary district operating a high school in a county that has not been divided into high school districts ~~shall be~~ is considered a high school district under this title and the trustees of the elementary district ~~shall be~~ are the trustees of the high school district. ~~Such an~~ An elementary district operating a high school ~~shall~~ may not have the bonding authority of a high school district. However, the elementary district may exercise its bonding authority, in the manner provided by law, for high school purposes.

(5) As used in this title, unless the context clearly indicates otherwise, a county high school ~~shall be~~ is considered a high school district subject to the limitations prescribed by law for a county high school as a result of its being a part of the county government. The boundaries of the high school district for a county high school ~~shall be~~ are:

(a) the high school district boundaries established by the county high school boundary commission; or

(b) if no ~~such~~ boundaries have been established, the county boundaries, except for any territory located in a joint high school district.

(6) ~~Any~~ A county high school recognized as a high school district under the provisions of subsection (5)(b) ~~above shall~~ may not have a bonding authority. Instead, the county shall exercise its bonding authority in the manner provided in 20-9-451."

Section 7. Section 20-9-406, MCA, is amended to read:

"20-9-406. Limitations on amount of bond issue. (1) (a) The maximum amount for which ~~each~~ an elementary district or a high school district may become indebted by the issuance of bonds, including all indebtedness represented by outstanding bonds of previous issues and registered warrants, is 45% of the taxable value of the property subject to taxation as ascertained by the last completed assessment for state, county, and school taxes previous to the incurring of ~~such~~ the indebtedness.

(b) The maximum amount for which a K-12 school district, as formed pursuant to [section 1], may become indebted by the issuance of bonds, including all indebtedness represented by outstanding bonds of previous issues and registered warrants, is up to 90% of the taxable value of the property subject to taxation as ascertained by the last-completed assessment for state, county, and school taxes previous to the incurring of the indebtedness. The total indebtedness of the high school district with an attached elementary district as represented by the issuance of bonds must be limited to the sum of 45% of the taxable value of the property for elementary school program purposes and 45% of the taxable value of the property for high school program purposes.

(2) The ~~45%~~ maximum amounts determined in subsection (1), however, may not pertain to indebtedness imposed by special improvement district obligations or assessments against the school district or to bonds issued for the repayment of tax protests lost by the district. All bonds issued in excess of ~~such the~~ amount ~~shall be~~ are null and void, except as provided in this section.

(2)(3) When the total indebtedness of a school district has reached the ~~45% limitation~~ limitations prescribed in this section, the school district may pay all reasonable and necessary expenses of the school district on a cash basis in accordance with the financial administration provisions of this chapter.

(3)(4) Whenever bonds are issued for the purpose of refunding bonds, any ~~moneys~~ money to the credit of the debt service fund for the payment of the bonds to be refunded are applied towards the payment of ~~such the~~ bonds and the refunding bond issue is decreased accordingly."

Section 8. Section 20-9-502, MCA, is amended to read:

"20-9-502. Purpose and authorization of a building reserve fund by an election. (1) The trustees of any district, with the approval of the qualified electors of the district, may establish a building reserve for the purpose of raising money for the future construction, equipping, or enlarging of school buildings or for the purpose of purchasing land needed for school purposes in the district. In order to submit to the qualified electors of the district a building reserve proposition for the establishment of or addition to a building reserve, the trustees shall pass a resolution that specifies:

(a) the purpose or purposes for which the new or addition to the building reserve will be used;

(b) the duration of time over which the new or addition to the building reserve will be raised in annual, equal installments;

(c) the total amount of money that will be raised during the duration of time specified in subsection (1)(b); and

(d) any other requirements under 20-20-201 for the calling of an election.

(2) The total amount of building reserve when added to the outstanding indebtedness of the district ~~shall may~~ not be more than ~~45% of the taxable value of the taxable property of the district~~ the limitations provided in 20-9-406. ~~Such limitation shall be determined in the manner provided in 20-9-406.~~ A building reserve tax authorization ~~shall may~~ not be for more than 20 years.

(3) The election ~~shall must~~ be conducted in accordance with the school election laws of this title, and the electors qualified to vote in the election ~~shall must~~ be qualified under the provisions of 20-20-301. The ballot for a building reserve proposition ~~shall must~~ be substantially in the following form:

OFFICIAL BALLOT

SCHOOL DISTRICT BUILDING RESERVE ELECTION

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REGULAR SESSION

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words "BUILDING RESERVE--YES" if you wish to vote for the establishment of a building reserve (addition to the building reserve); if you are opposed to the establishment of a building reserve (addition to the building reserve) make an X or similar mark in the square before the words "BUILDING RESERVE--NO".

Shall the trustees be authorized to impose an additional levy each year for years to establish a building reserve (add to the building reserve) of this school district to raise a total amount of dollars (\$....), for the purpose(s) (here state the purpose or purposes for which the building reserve will be used)?

☐ BUILDING RESERVE--YES.

☐ BUILDING RESERVE--NO.

(4) The building reserve proposition ~~shall be~~ is approved if a majority of those electors voting at the election approve the establishment of or addition to ~~such the~~ the building reserve. The annual budgeting and taxation authority of the trustees for a building reserve ~~shall be~~ is computed by dividing the total authorized amount by the specified number of years. The authority of the trustees to budget and impose the taxation for the annual amount to be raised for the building reserve ~~shall lapse~~ lapses when, at a later time, a bond issue is approved by the qualified electors of the district for the same purpose or purposes for which the building reserve fund of the district was established. Whenever a subsequent bond issue is made for the same purpose or purposes of a building reserve, the money in the building reserve ~~shall must~~ must be used for such purpose or purposes before any money realized by the bond issue is used."

Section 9. Section 20-7-705, MCA, is amended to read:

"20-7-705. Adult education fund. (1) A separate adult education fund ~~shall must~~ must be established when an adult education program is operated by a district or community college district. The financial administration of ~~such the~~ the fund ~~shall must~~ must comply with the budgeting, financing, and expenditure provisions of the laws governing the schools.

(2) Whenever the trustees of any district establish an adult education program under the provisions of 20-7-702, they shall establish an adult education fund under the provisions of this section. The adult education fund ~~shall must~~ must be the depository for all federal, state, and district ~~moneys~~ money received by the district in support of the adult education program.

(3) The trustees of any district may authorize the levy of a tax of not more than 1 mill on the district, except that trustees of a county high school district that is not unified with an elementary district or of a K-12 school district formed under the provisions of [section 1] may authorize a levy of not more than 2 mills on the district, for the operation of an adult education program when the superintendent of public instruction has approved the educational program to be supported by ~~such the~~ the levy. The trustees shall acquire the approval of the superintendent of public instruction ~~shall have been acquired by the trustees~~

before the fourth Monday of June in order to include the expenditures to be financed by the levy in the preliminary budget. The superintendent of public instruction shall promulgate rules and forms for ~~such the~~ approval.

(4) Whenever the trustees of any district decide to offer an adult education program during the ensuing school fiscal year, they shall budget for the cost of ~~such the~~ program in the adult education fund of the preliminary budget. Any expenditures in support of the adult education program under the final adult education budget shall must be made in accordance with the financial administration provisions of this title for a budgeted fund.

(5) When a tax levy for an adult education program ~~which~~ that has been approved by the superintendent of public instruction is included as a revenue item on the final adult education budget, the county superintendent shall report ~~such the~~ levy requirement to the county commissioners on the second Monday of August and a levy on the district ~~shall~~ must be made by the county commissioners in accordance with 20-9-142."

Section 10. Section 20-9-314, MCA, is amended to read:
"20-9-314. Procedures for determining eligibility and amount of increased average number belonging due to unusual enrollment increase. A district ~~which~~ that anticipates an unusual increase in enrollment in the ensuing school fiscal year, as provided for in 20-9-313(4), may increase its foundation program for the ensuing school fiscal year in accordance with the following provisions:

(1) Prior to May 10, the district shall estimate the ~~probable average number belonging elementary or high school enrollment~~ to be realized during the ensuing ANB ~~calculation period~~ school fiscal year, based on as much factual information as may be available to the district.

(2) No later than May 10, the district shall submit its application for an unusual enrollment increase by elementary or high school level to the superintendent of public instruction. The application must include:

(a) the ~~average number belonging enrollment~~ for the preceding ANB ~~calculation period~~ school fiscal year;

(b) the ~~current~~ average number belonging used to calculate the foundation program schedule amount for the current school fiscal year;

(c) the average number belonging that will be used to calculate the foundation program schedule amount for the ensuing school fiscal year;

(e)(d) the estimated ~~average number belonging for the ensuing ANB calculation period enrollment~~, including the factual information on which the estimate is based, as provided in subsection (1); and

(d)(e) any other information or data that may be requested by the superintendent of public instruction.

(3) The superintendent of public instruction shall immediately review all the factors of the application and shall approve or disapprove the application or adjust the estimated

average number belonging for the ensuing ANB calculation period. After approving an estimate, with or without adjustment, the superintendent of public instruction shall:

(a) determine the percentage increase that the estimated ~~average number belonging for the ensuing ANB calculation period~~ enrollment increase is over the current ~~average number belonging~~ enrollment; and

(b) approve an increase of the average number belonging used to establish the ensuing year's foundation program in accordance with subsection (5) if the increase in subsection (3)(a) is at least 6%.

(4) The superintendent of public instruction shall notify the district of ~~his~~ the decision by the fourth Monday in June.

(5) Whenever an unusual enrollment increase is approved by the superintendent of public instruction, the increase of the average number belonging used to establish the foundation program for the ensuing ANB calculation period is the difference between the ~~approved estimated average number belonging~~ enrollment for the ensuing ANB calculation period school fiscal year and 106% of the current ~~average number belonging~~ enrollment. The amount determined is the maximum allowable increase added to the ~~actual current~~ average number belonging for the purpose of establishing the ensuing year's foundation program.

(6) Any equalization or entitlement increases resulting from provisions of this section must be reviewed at the end of the ensuing school fiscal year. If the actual ~~average number belonging~~ enrollment is less than the average number belonging used for foundation program and entitlement calculations, the superintendent of public instruction shall revise the foundation program and entitlement calculations using the actual average number belonging. All payments received by the district in excess of the revised entitlements are overpayments subject to the refund provisions of 20-9-344(3)."

NEW SECTION. Section 11. Codification instruction. [Sections 1 through 5] are intended to be codified as an integral part of Title 20, and the provisions of Title 20 apply to [sections 1 through 5].

NEW SECTION. Section 12. Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

HB 665, introduced bill, be amended as follows:

1. Title, line 6.

Following: "PROCEDURES"

Insert: "IN COOPERATION WITH THE DISASTER AND EMERGENCY SERVICES DIVISION OF THE DEPARTMENT OF MILITARY AFFAIRS AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION"

2. Page 1, line 15.

Strike: "subsection (2)"

Insert: "subsections (2) and (3)"

3. Page 2, line 9.

Following: "procedures"

Insert: ", in cooperation with the disaster and emergency services division of the department of military affairs and the superintendent of public instruction,"

4. Page 2, line 12.

Strike: "programs to ensure"

Insert: "assurance"

5. Page 2, line 22.

Following: "school"

Insert: "at least twice during the pupil-instruction days of a school fiscal year"

6. Page 3, line 2.

Following: "affairs"

Insert: "and the superintendent of public instruction"

And, as amended, do pass. Report adopted.

HJR 20, introduced bill, do pass. Report adopted.

HJR 32, introduced bill, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

2/20/91

HB 475, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "THE" on line 6

Strike: remainder of line 6 through "AGRICULTURE" on line 7

Insert: "OFFICE OF PUBLIC INSTRUCTION"

2. Title, line 7.

Following: "OF"

Insert: "UNITED STATES DEPARTMENT OF AGRICULTURE"

3. Page 2, line 6.

Following: "[c]"

Insert: "United States department of agriculture"

4. Page 2, line 7.

Strike: "United States department of agriculture"

Insert: "office of public instruction"

And, as amended, do pass. Report adopted.

HB 572, introduced bill, be amended as follows:

1. Title, line 11.

Strike: "%"

2. Title, line 12.

Strike: "%"

3. Title, line 20.

Strike: "%"

4. Page 4, line 14.

Strike: "section"

Insert: "title"

5. Page 5, line 16.

Following: "body"

Insert: "while operating a commercial motor vehicle"

6. Page 8, line 19.

Following: "for"

Strike: "10 years"

Insert: "life"

7. Page 9, line 10.

Strike: "61-8-803"

Insert: "[section 7]"

8. Page 9, line 17.

Strike: "61-8-804"

Insert: "[section 7]"

9. Page 9, line 20.

Strike: "The"

Insert: "Upon receiving notice pursuant to 61-5-208, [section 5], or [section 6], the"

10. Page 9, lines 21 through 24.

Following: "endorsement" on line 21

Strike: remainder of line 21 through "61-8-806" on line 24

Insert: ", as follows:

(1) upon notice of a first conviction, for 1 year, with no provision for a probationary license, except that if the offense occurred while operating a commercial motor vehicle transporting hazardous material, the suspension must be for 3 years;

(2) upon notice of a second conviction, as determined from the records of the department, for life, with no provision for a restricted license or endorsement unless allowed by federal rules governing commercial drivers; and

(3) upon notice of a third conviction, an operator's commercial vehicle endorsement must be suspended for life and the operator is ineligible for reinstatement"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/21/91

HB 620, introduced bill, do pass. Report adopted.

HB 627, introduced bill, do pass. Report adopted.

HB 640, introduced bill, do pass. Report adopted.

HB 642, introduced bill, do pass. Report adopted.

HB 700, introduced bill, do pass. Report adopted.

HB 785, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

2/20/91

HB 559, introduced bill, be amended as follows:

1. Page 3, line 25.

Page 4, line 7.

Page 4, end of line 22 and beginning of line 23.

Page 5, line 8.

Page 5, end of line 16 and beginning of line 17

Page 7, lines 4 and 19.

Page 8, line 10.

Page 9, lines 16 and 18.

Page 24, line 9.

Page 26, lines 9 and 16.

Page 27, line 2.

Strike: "or tests"

2. Page 4, lines 14 through 16.

Strike: "A" on line 14 through end of line 16

3. Page 4, lines 3 and 4.

Page 7, lines 14 and 15.

Page 9, lines 2 and 3.

Page 9, lines 11 and 12.

Page 23, line 24.

Page 24, lines 12 and 13.

Page 25, line 20.

Page 27, line 5 and line 13.

Strike: ", drugs, or a combination of the two"

4. Page 26, line 11.

Strike: "1"

5. Page 26, line 12.

Strike: "drugs, or a combination of the two"

And, as amended, do pass. Report adopted.

HB 668, introduced bill, be amended as follows:

1. Page 2, line 11.

Strike: "or"

Insert: "and"

2. Page 2, line 12.

Following: "(ii)"

Insert: "may"

Strike: "revoked"

Insert: "suspended"

3. Page 2, line 13.

Strike: "multiple offenses"

Insert: "a second or subsequent offense"

And, as amended, do pass. Report adopted.

HB 747, introduced bill, be amended as follows:

1. Title, lines 5 and 10.

Following: "PRISON"

Insert: "OR A WOMEN'S CORRECTIONAL FACILITY"

2. Page 2, line 1.

Following: "prison"

Insert: ", a women's correctional facility, a state prerelease center, a private prerelease center or that part of a private prerelease center under contract to the state,"

3. Page 2, line 2.

Following: "or"

Insert: "a"

4. Page 3, line 18.

Page 8, line 7.

Following: "prison"

Insert: "or a women's correctional facility"

5. Page 5, line 10.

Following: "(ix)"

Insert: "with the approval of the facility or program,"

6. Page 6, line 5.

Following: "(f)"

Insert: "with the approval of the facility or program,"

7. Page 8, lines 14, 17, and 20.

Following: "prison"

Insert: "or a women's correctional facility"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

2/20/91

HB 155, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "THE SAME AS FOR"

Insert: "95 PERCENT OF"

Strike: "JUDGE"

Insert: "JUDGE'S SALARY"

2. Title, lines 8 and 9.

Strike: "INCREASING" on line 8 through "ATTORNEY;" on line 9

3. Page 4, line 18.

Strike: "the same as"

Insert: "95% of"

4. Page 4, line 23.

Strike: "80%"

Insert: "60%"

5. Page 4, line 25.

Strike: "or"

Insert: ", "

Following: "fifth;"

Insert: ", "

6. Page 5, lines 1 through 4.

Strike: "class" on line 1 through "the" on line 4

7. Page 5, line 4.

Following: "sixth;"

Insert: ", "

8. Page 5, line 5.

Strike: "60%"

Insert: "50%"

And, as amended, do pass. Report adopted.

HB 328, introduced bill, be amended as follows:

1. Title, line 10.

Following: " ;"

Insert: "AUTHORIZING AN INTERFUND LOAN FROM THE GENERAL
FUND;"

2. Title, line 15.

Strike: "AND"

Insert: ", "

3. Title, line 16.

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

4. Page 2, line 7.

Strike: "recipient"

Insert: "local government entity"

5. Page 3, line 4.

Strike: "public"

Insert: "licensed"

6. Page 4, line 17.

Strike: "and"

7. Page 4, line 18.

Following: "districts"

Insert: "; and

(xxvii) grazing districts"

8. Page 7, line 18.

Strike: "\$100,000"

Insert: "\$200,000"

9. Page 8, line 4.

Following: "department"

Insert: ", or, in the case of a school district, if directed by the department at the request of the superintendent of public instruction"

10. Page 13, line 13.

Following: "department"

Insert: ", or, in the case of a school district, if directed by the department at the request of the superintendent of public instruction"

11. Page 17, line 22.

Following: "department"

Insert: ", in consultation with the board,"

12. Page 24, line 17.

Following: "fee"

Insert: "to any local government entity required to have an audit under [section 3], which fee must be"

13. Page 24, line 18.

Following: "part."

Insert: "The filing fees for school districts required by this section must be paid by the superintendent of public instruction from the funds appropriated for state equalization aid as defined in 20-9-343."

14. Page 26, line 18.

Following: "fee"

Insert: "to any local government entity required to have an audit under [section 3], which fee must be"

15. Page 26, line 19.

Following: "part."

Insert: "Notwithstanding the provisions of 20-9-343, the filing fees for school districts required by this section must be paid by the superintendent of public instruction from the state equalization aid account."

16. Page 27, following line 1.

Insert: "(4) The department is authorized under this part to charge a surcharge on the filing fee to generate the necessary revenue to repay the general fund loan over a 5- year period."

17. Page 29, line 11.

Following: "2-7-503(1)"

Insert: ", unless an extension has been granted by the department for good cause shown,"

18. Page 33, line 17.

Following: "report"

Insert: "of the significant issues of noncompliance"

19. Page 43, following line 3.

Insert: "NEW SECTION. Section 27. Estimate of cost savings. The governor shall include in his proposed budget submitted to the 53rd legislature an estimate of cost savings to state agencies resulting from the implementation of [this act]."

NEW SECTION. Section 28. Interfund loan from the general fund. Costs incurred by the department of commerce during fiscal year ending June 30, 1992, in adopting rules to implement [this act] and in preparing for the implementation of [this act], up to the approved appropriation for this purpose, are to be funded by an interfund loan from the general fund that must be repaid over a 5-year period from the revenues from the filing fees provided for in [this act]."

Renumber: subsequent sections

20. Page 43, following line 13.

Insert: "NEW SECTION. Section 31. Termination date. Section 2-7-514(4), as added in [section 12], terminates June 30, 1997."

And, as amended, do pass. Report adopted.

HB 487, introduced bill, be amended as follows:

1. Page 2, line 7.

Following: "would"

Insert: ":

2. Page 2, line 8.

Following: line 7

Insert: ":

(1)"

Strike: "or inhibit"

Following: "operation of"

Strike: "a"

Insert: "an existing"

Following: "range"

Insert: "as a nonconforming use;

(2) prohibit the establishment of new shooting ranges, but it may regulate the construction of shooting ranges to specified zones; or

(3) prevent the erection or construction of safety improvements on existing shooting ranges"

3. Page 2, lines 11 and 12.

Following: "may not"

Insert: ":

(1)"

Strike: "or inhibit"

Following: "operation of"

Strike: "a"

Insert: "an existing"

Following: "range"

Insert: "as a nonconforming use;

(2) prohibit the establishment of new shooting ranges, but it may regulate the construction of shooting ranges to specified zones; or

(3) prevent the erection or construction of safety improvements on existing shooting ranges"

4. Page 2, line 19.

Strike: "(a)"

5. Page 2, line 24.

Strike: "(i)"

Insert: "(a)"

6. Page 3, lines 3 through 19.

Strike: lines 3 through 19 in their entirety

Insert: "(b) the agency or unit of local government obtaining the closure pays the appraised cost of the land together with improvements to the operators of the shooting range. In return the shooting range operators shall relinquish their interest in the property to the agency or unit of local government obtaining the closure."

7. Page 4, line 12.

Following: "deposits"

Insert: "directly"

Strike: "the"

8. Page 5, line 7.

Following: "(b)"

Insert: "normal"

9. Page 5, line 15.

Following: "range"

Insert: "during established hours of operation"

10. Page 7, line 18.

Following: "range"

Insert: "during established hours of operation"

And, as amended, do pass. Report adopted.

HB 497, introduced bill, be amended as follows:

1. Page 2, lines 5 and 7.

Strike: "(1)(b)"

Insert: "(1)(a)(ii)"

2. Page 2, line 19.

Following: "(1)"

Insert: "(a)"

3. Page 3, line 4.

Strike: "(a)"

Insert: "(i)"

4. Page 3, line 5.

Following: "class"

Insert: "added"

5. Page 3, line 9.

Strike: "(b)"

Insert: "(ii)"

6. Page 3, line 10.

Following: "class"

Insert: "added"

7. Page 3, line 13.

Following: line 12

Insert: "(b) The annual base established by the county governing body in subsection (1) must be uniform for all county officers referred to in subsection (1)."

8. Page 7, lines 9 and 10.

Following: "resolution"

Strike: ", "

Following: "July 1"

Strike: ", "

Following: "1982"

Strike: "1991, and on or before July 1"

9. Page 7, line 10.

Strike: "thereafter"

10. Page 7, lines 15 through 19.

Strike: "for" on line 15 through "of" on line 19

Insert: ". Except as provided in subsection (3), the salaries fixed may be no less than 80% of the annual base salary provided for in 7-4-2503(1) plus a cost-of-living increment based on"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/21/91

HB 351, introduced bill, be amended as follows:

1. Page 1.

Following: line 9

Insert:

"STATEMENT OF INTENT

A statement of intent is provided for this bill to clarify the responsibilities of the department of state lands. It is the intent of

the legislature that the department develop best management practices for wildlife. The goal of the best management practices should be to provide a diversity of habitat and to assure the greatest diversity of species within those habitats for the survival and reproduction of enough individuals to maintain the native wildlife populations of Montana forest lands. In developing these best management practices, the department should consult with wildlife officials from federal, state, and private agencies and organizations and consider the experiences of other states."

And, as amended, do pass. Report adopted.

HB 539, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ACT;"

Strike: "REQUIRING APPROVAL OF A CONSENT DECREE BY THE LOCAL GOVERNING BODY;"

Insert: "CLARIFYING THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES MAY TAKE REMEDIAL ACTION AT A SITE THAT IS SUBJECT TO THE FEDERAL COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980;"

2. Title, line 7.

Following: "FOR"

Strike: "PERFORMANCE BONDS"

Insert: "FINANCIAL ASSURANCE"

3. Title, line 10.

Following: "PUBLIC"

Insert: "MEETING OR"

4. Title, line 11.

Following: "PROPOSED"

Insert: "WORKPLAN,"

Following: "ORDER"

Insert: ", "

5. Title, lines 11 and 12.

Following: "DECREE;" on line 11

Strike: remainder of lines 11 and 12 in their entirety

6. Title, line 13.

Following: "75-10-704,"

Insert: "75-10-711,"

Following: "75-10-713,"

Strike: "75-10-714,"

7. Title, line 14.

Following: "75-10-719,"

Insert: "AND"

Following: "75-10-721,"

Strike: "AND 75-10-723,"

Following: "MCA"

Insert: "; AND PROVIDING A RETROACTIVE APPLICABILITY DATE"

8. Page 1, line 15.

Following: line 14

Insert: "STATEMENT OF INTENT"

A statement of intent is required for this bill to provide guidance to the department of health and environmental sciences concerning rulemaking to establish the specific terms and conditions of financial assurance that a liable person is required to provide pursuant to 75-10-719 and 75-10-721. The department shall consult and to the greatest extent practicable rely upon financial assurance concepts and requirements contained in federal regulations that implement the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended."

9. Page 2, line 14.

Following: "forfeited"

Strike: "performance bonds"

Insert: "financial assurance"

10. Page 3, line 13.

Following: line 12

Insert: "Section 2. Section 75-10-711, MCA, is amended to read:

"75-10-711. Remedial action -- orders -- penalties -- judicial proceedings. (1) The department may take remedial action whenever:

(a) there has been a release or there is a substantial threat of a release into the environment that may present an imminent and substantial endangerment to the public health, welfare, or safety or the environment; and

(b) the appropriate remedial action will not be done properly and expeditiously by any person liable under 75-10-715(1).

(2) Whenever the department is authorized to act pursuant to subsection (1) or has reason to believe that a release has occurred or is about to occur, the department may undertake remedial action in the form of any investigation, monitoring, survey, testing, or other information-gathering as authorized by 75-10-707 that is necessary and appropriate to identify the existence, nature, origin, and extent of the release or the threat of release and the extent and imminence of the danger to the public health, safety, or welfare or the environment.

(3) Any person liable under 75-10-715(1) must take immediate action to contain, remove, and abate the release. Except as provided in 75-10-712, the department is authorized to draw upon the fund to take action under subsection (1) if it has made diligent good faith efforts to determine the identity of the person or persons liable for the release or threatened release and:

(a) is unable to determine the identity of the liable person or persons in a manner consistent with the need to take timely remedial action; or

(b) the person or persons determined by the department to be liable under 75-10-715(1) have been informed in writing of the department's determination and have been requested by the department to take appropriate remedial action but are unable or unwilling to take action in a timely manner; and

(c) the written notice to each person informs him that if he is subsequently found liable pursuant to 75-10-715(1), he may be required to reimburse the fund for the state's remedial action costs and may be subject to penalties pursuant to 75-10-715(3).

(4) Whenever the department is authorized to act pursuant to subsection (1) or has reason to believe that a release that may pose an imminent and substantial threat to public health, safety, or welfare or the environment has occurred or is about to occur, it may issue to any person liable under 75-10-715(1) cease and desist, remedial, or other orders as may be necessary or appropriate to protect public health, safety, or welfare or the environment.

(5) A person who violates or fails or refuses to comply with an order issued under 75-10-707 or this section may, in an action brought to enforce the order, be assessed a civil penalty of not more than \$10,000 for each day in which a violation occurs or a failure or refusal to comply continues. In determining the amount of any penalty assessed, the court may take into account the nature, circumstances, extent, and gravity of the noncompliance and, with respect to the person liable under 75-10-715(1), his ability to pay; any prior history of such violations; the degree of culpability; the economic benefit or savings, if any, resulting from the noncompliance; and any other matters as justice may require. Civil penalties collected under this subsection must be deposited into the environmental quality protection fund established in 75-10-704.

(6) A court has jurisdiction to review an order issued under 75-10-707 or this section only in the following actions:

(a) an action under 75-10-715 to recover remedial action costs or penalties or for contribution;

(b) an action to enforce an order issued under 75-10-707 or this section;

(c) an action to recover a civil penalty for violation of or failure to comply with an order issued under 75-10-707 or this section; or

(d) an action by a person to whom an order has been issued to determine the validity of the order, only if the person has been in compliance and continues in compliance with the order pending decision of the court.

(7) In considering objections raised in a judicial action regarding orders issued under this part, the court shall uphold and enforce an order issued by the department unless the objecting party can demonstrate, on the administrative record, that the department's decision to issue the order was arbitrary and capricious or otherwise not in accordance with law.

(8) Instead of issuing a notification or an order under this section, the department may bring an action for legal or equitable relief in the district court of the county where the release or threatened release occurred or in the first judicial district as may be necessary to abate any imminent and substantial endangerment to the public health, safety, or welfare or the environment resulting from the release or threatened release.

(9) The department may take remedial action pursuant to subsection (1) at a site that is regulated under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Public Law 96-510, if the department determines that remedial action is necessary to carry out the purposes of this part."

Renumber: subsequent sections

11. Page 3, line 14.

Following: "of"

Insert: "workplan,"

Following: "order"

Insert: ", "

12. Page 3, line 15.

Following: "comments --"

Insert: "meeting --"

13. Page 3, lines 16 and 17.

Following: "before" on line 16

Strike: "final approval by"

14. Page 3, line 17.

Following: "department"

Strike: "of"

Insert: "submits comments to the U.S. environmental protection agency on a proposed workplan or approves"

15. Page 3, line 18.

Following: "consent"

Insert: ", "

Following: "75-10-711"

Insert: ", "

16. Page 3, line 22.

Following: "proposed"

Insert: "workplan,"

Following: "order"

Insert: ", "

17. Page 3, line 25.

Following: line 24

Insert: "(b) receive comments from the county commissioners and governing bodies of cities, towns, and consolidated local governments in whose geographical area of jurisdiction the

proposed workplan, administrative order, or consent decree would apply;"

Renumber: subsequent subsections

18. Page 4, line 3.

Following: "proposed"

Insert: "workplan,"

Following: "order"

Insert: ", "

19. Page 4, line 5.

Following: "~~person~~;"

Insert: ", and upon written request by 10 or more persons or by a group having 10 or more members (but not including a liable person),"

20. Page 4, line 6.

Strike: "hearing"

Insert: "meeting"

21. Page 4, line 7.

Following: "proposed"

Insert: "workplan,"

Following: "order"

Insert: ", "

22. Page 4, line 8.

Following: line 7

Insert: "(d) at the request of the county commissioners or the governing body of a city or town or of a consolidated local government within whose area of jurisdiction a remedial action site is located, conduct a public hearing; and"

Renumber: subsequent subsections

23. Page 4, line 8.

Following: "to"

Insert: "relevant"

24. Page 4, lines 10 through 12.

Following: "~~meeting~~" on line 10

Insert: "meeting or"

Following: "hearing" on line 10

Strike: remainder of line 10 through "area" on line 12

25. Page 4, line 13.

Following: "proposed"

Insert: "workplan,"

26. Page 4, line 14.

Following: "order"

Insert: ", "

27. Page 4, line 16.

Following: line 15

Insert: "department's comments on the workplan or the"

28. Page 4, lines 16 through 22.

Following: "public." on line 16

Strike: "The" through "reasons." on line 22

Insert: "The administrative record supporting the department's comments on the workplan or the approved order or decree must contain the department's response summary prepared pursuant to subsection (1)(e)."

29. Page 4, line 23 through page 6, line 2.

Strike: section 3 in its entirety

Re-number: subsequent sections

30. Page 8, line 6.

Following: "department"

Strike: "shall"

Insert: "may"

31. Page 8, line 7.

Strike: "posting of a bond"

Insert: "liable person to provide financial assurance"

32. Page 8, line 8.

Following: "long-term"

Insert: "operation and"

33. Page 8, line 9.

Following: "site."

Insert: "The liable person shall provide the financial assurance by any one method or combination of methods satisfactory to the department, including but not limited to insurance, guarantee, performance or other surety bond, letter of credit, and qualification as a self-insurer."

34. Page 8, line 12.

Following: "exemption --"

Strike: "performance bond"

Insert: "financial assurance"

35. Page 9, line 18.

Following: "require"

Strike: "a performance bond"

Insert: "financial assurance"

36. Page 9, line 19.

Following: "person"

Strike: "or a remedial action contractor"

37. Page 9, lines 20 and 21.

Following: "ensure" on line 20

Strike: the remainder of lines 20 and 21

Insert: "the long-term operation and maintenance of the remedial action site. The liable person shall provide the financial assurance by any one method or combination of methods satisfactory to the department, including but not limited to insurance, guarantee, performance or other surety bond, letter of credit, and qualification as a self-insurer."

38. Page 9, line 22 through page 10, line 18.

Strike: section 6 in its entirety

Renumber: subsequent section

39. Page 10, line 25.

Following: line 24

Insert: "NEW SECTION. Section 7. Retroactive applicability. [This act] applies retroactively, within the meaning of 1-2-109, to occurrences after June 30, 1985."

And, as amended, do pass. Report adopted.

HB 630, introduced bill, do pass. Report adopted.

HB 732, introduced bill, be amended as follows:

1. Title, lines 5 through 8.

Following: "VEHICLES" on line 5

Strike: the remainder of the title in its entirety

Insert: "."

2. Page 1, line 12.

Following: "vehicle"

Insert: ", except a commercial motor vehicle or a vehicle transporting unprocessed agricultural products,"

3. Page 1, line 17 through page 2, line 16.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 745, introduced bill, do pass. Report adopted.

HB 749, introduced bill, do pass. Report adopted.

HB 815, introduced bill, be amended as follows:

1. Page 2, line 3.

Following: "November 1,"

Strike: "1993"

Insert: "1992"

2. Page 2, line 22.

Following: line 21

Strike: "1993"

Insert: "1992"

3. Page 12, line 6.

Following: "regulations"

Insert: "if the plan and regulations meet the minimum standards established pursuant to 76-1-601 and [section 12]"

4. Page 18, line 3.

Following: "regulations"

Insert: "if the plan and regulations meet the minimum standards established pursuant to 76-1-601 and [section 12]"

5. Page 18, line 25.

Following: "October 1,"

Strike: "1993"

Insert: "1992"

6. Page 19, line 23.

Following: "November 1,"

Strike: "1993"

Insert: "1992"

And, as amended, do pass. Report adopted.

HB 908, introduced bill, be amended as follows:

1. Title, line 6.

Following: "THE"

Insert: "ACQUISITION,"

Following: "INSTALLATION"

Insert: ", "

2. Title, line 13.

Following: "85-1-604,"

Insert: "85-2-102,"

3. Page 1, line 25.

Following: "legislature"

Insert: ", where reasonable and practical,"

4. Page 2.

Following: line 8

Insert: "Section 1. Section 85-2-102, MCA, is amended to read:

"85-2-102. (Temporary) Definitions. Unless the context requires otherwise, in this chapter the following definitions apply:

(1) "Appropriate" means to:

(a) divert, impound, or withdraw (including by stock for stock water) a quantity of water;

(b) in the case of a public agency, to reserve water in accordance with 85-2-316; or

(c) in the case of the department of fish, wildlife, and parks, to lease water in accordance with 85-2-436.

(2) "Beneficial use", unless otherwise provided, means:

(a) a use of water for the benefit of the appropriator, other persons, or the public, including but not limited to agricultural

(including stock water), domestic, fish and wildlife, industrial, irrigation, mining, municipal, power, and recreational uses;

(b) a use of water appropriated by the department for the state water leasing program under 85-2-141 and of water leased under a valid lease issued by the department under 85-2-141; and

(c) a use of water by the department of fish, wildlife, and parks pursuant to a lease authorized under 85-2-436.

(3) "Board" means the board of natural resources and conservation provided for in 2-15-3302.

(4) "Certificate" means a certificate of water right issued by the department.

(5) "Change in appropriation right" means a change in the place of diversion, the place of use, the purpose of use, or the place of storage.

(6) "Commission" means the fish and game commission provided for in 2-15-3402.

(7) "Declaration" means the declaration of an existing right filed with the department under section 8, Chapter 452, Laws of 1973.

(8) "Department" means the department of natural resources and conservation provided for in Title 2, chapter 15, part 33.

(9) "Existing right" means a right to the use of water which would be protected under the law as it existed prior to July 1, 1973.

(10) "Ground water" means any water beneath the land surface or beneath the bed of a stream, lake, reservoir, or other body of surface water, and which is not a part of that surface water.

(11) "Permit" means the permit to appropriate issued by the department under 85-2-301 through 85-2-303 and 85-2-306 through 85-2-314.

(12) "Person" means an individual, association, partnership, corporation, state agency, political subdivision, the United States or any agency thereof, or any other entity.

(13) "Political subdivision" means any county, incorporated city or town, public corporation, or district created pursuant to state law or other public body of the state empowered to appropriate water but not a private corporation, association, or group.

(14) "Watercourse" means any naturally occurring stream or river from which water is diverted for beneficial uses. It does not include ditches, culverts, or other manmade waterways.

~~(14)~~(15) "Waste" means the unreasonable loss of water through the design or negligent operation of an appropriation or water distribution facility or the application of water to anything but a beneficial use.

~~(15)~~(16) "Water" means all water of the state, surface and subsurface, regardless of its character or manner of occurrence, including but not limited to geothermal water, diffuse surface water, and sewage effluent.

~~(16)~~(17) "Water division" means a drainage basin as defined in 3-7-102.

(17)(18) "Water judge" means a judge as provided for in Title 3, chapter 7.

(18)(19) "Water master" means a master as provided for in Title 3, chapter 7.

(19)(20) "Well" means any artificial opening or excavation in the ground, however made, by which ground water is sought or can be obtained or through which it flows under natural pressures or is artificially withdrawn. (Terminates June 30, 1993--sec. 11, Ch. 658, L. 1989.)

85-2-102. (Effective July 1, 1993) Definitions. Unless the context requires otherwise, in this chapter the following definitions apply:

(1) "Appropriate" means to divert, impound, or withdraw (including by stock for stock water) a quantity of water or, in the case of a public agency, to reserve water in accordance with 85-2-316.

(2) "Beneficial use", unless otherwise provided, means:

(a) a use of water for the benefit of the appropriator, other persons, or the public, including but not limited to agricultural (including stock water), domestic, fish and wildlife, industrial, irrigation, mining, municipal, power, and recreational uses; and

(b) a use of water appropriated by the department for the state water leasing program under 85-2-141 and of water leased under a valid lease issued by the department under 85-2-141.

(3) "Board" means the board of natural resources and conservation provided for in 2-15-3302.

(4) "Certificate" means a certificate of water right issued by the department.

(5) "Change in appropriation right" means a change in the place of diversion, the place of use, the purpose of use, or the place of storage.

(6) "Declaration" means the declaration of an existing right filed with the department under section 8, Chapter 452, Laws of 1973.

(7) "Department" means the department of natural resources and conservation provided for in Title 2, chapter 15, part 33.

(8) "Existing right" means a right to the use of water which would be protected under the law as it existed prior to July 1, 1973.

(9) "Ground water" means any water beneath the land surface or beneath the bed of a stream, lake, reservoir, or other body of surface water, and which is not a part of that surface water.

(10) "Permit" means the permit to appropriate issued by the department under 85-2-301 through 85-2-303 and 85-2-306 through 85-2-314.

(11) "Person" means an individual, association, partnership, corporation, state agency, political subdivision, the United States or any agency thereof, or any other entity.

(12) "Political subdivision" means any county, incorporated city or town, public corporation, or district created pursuant to state law or other public body of the state empowered to

appropriate water but not a private corporation, association, or group.

(13) "Waste" means the unreasonable loss of water through the design or negligent operation of an appropriation or water distribution facility or the application of water to anything but a beneficial use.

(14) "Water" means all water of the state, surface and subsurface, regardless of its character or manner of occurrence, including but not limited to geothermal water, diffuse surface water, and sewage effluent.

(15) "Watercourse" means any naturally occurring stream or river from which water is diverted for beneficial uses. It does not include ditches, culverts, or other manmade waterways.

~~(15)~~(16) "Water division" means a drainage basin as defined in 3-7-102.

~~(16)~~(17) "Water judge" means a judge as provided for in Title 3, chapter 7.

~~(17)~~(18) "Water master" means a master as provided for in Title 3, chapter 7.

~~(18)~~(19) "Well" means any artificial opening or excavation in the ground, however made, by which ground water is sought or can be obtained or through which it flows under natural pressures or is artificially withdrawn.""

Renumber: subsequent sections

5. Page 3, line 25.

Strike: "2"

Insert: "3"

Following: "to"

Insert: "acquire,"

Following: "install"

Insert: ", "

6. Page 4, line 3.

Following: "dewatered"

Insert: ", except that where the board specifically finds that the installation of measuring devices along the entire watercourse is not practicable within the 2-year deadline, it may establish a later deadline"

7. Page 4, line 24.

Strike: "and"

8. Page 4, line 25.

Following: "dewatering"

Insert: ";

(f) existence of temporary or final decrees;

(g) history, if any, of conflict among water rights holders on the watercourse; and

(h) practicality and reasonableness of installing measuring devices on diversions along the watercourse"

9. Page 5, line 12.

Following: "and"

Insert: "acquisition and"

10. Page 8, line 2.

Following: "and"

Insert: "acquisition and"

11. Page 8, line 23.

Following: "Section"

Strike: "2"

Insert: "3"

12. Page 8, line 25.

Following: "section"

Strike: "2"

Insert: "3"

And, as amended, do pass. Report adopted.

HB 918, introduced bill, do pass. Report adopted.

HJR 30, introduced bill, do pass. Report adopted.

HJR 31, introduced bill, be amended as follows:

1. Title, line 8.

Following: "POLICY"

Insert: "IN COOPERATION WITH THE DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION AND THE CONSUMER
COUNSEL"

2. Page 2, line 22.

Following: line 21

Insert: "WHEREAS, the Department of Natural Resources and
Conservation, Energy Division, and the Consumer Counsel have
considerable expertise and information related to energy
production, consumption, and conservation in Montana; and"

3. Page 3, line 6.

Following: "Council"

Insert: ", in cooperation with the Department of Natural Resources and
Conservation and the Consumer Counsel,"

And, as amended, do pass. Report adopted.

HJR 39, introduced bill, be amended as follows:

1. Page 2, lines 15 and 16.

Following: "area" on line 15

Strike: ", which prompted the construction of"

Insert: "when the West Camp was sealed off with"

And, as amended, do pass. Report adopted.

HB 595, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND LOCAL"

2. Title, line 10.

Following: "19-9-804,"

Insert: "AND"

Strike: "19-10-401" through "19-10-501, AND"

3. Title, line 11.

Strike: "19-10-502,"

4. Page 11, line 13 through page 14, line 10.

Strike: sections 9 through 13 in their entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 760, introduced bill, be amended as follows:

2/21/91

1. Title, line 8.

Following: "1981;"

Strike: "AND"

Insert: "INCREASING THE STATE CONTRIBUTION RATE;"

Strike: "SECTION"

Insert: "SECTIONS 19-13-604 AND"

2. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1.

Following: line 11

Insert: "Section 1. Section 19-13-604, MCA, is amended to read:

"19-13-604. State contribution. The state shall make its contributions through the state auditor from the premium taxes on the insurance risks enumerated in 19-11-512. These payments shall be made annually to the administrator after the end of each fiscal year but no later than September 1 from the gross premium taxes after deduction for cancellations and returned premiums. The payment is statutorily appropriated as provided in 17-7-502. The administrator shall notify the auditor of the annual compensation, excluding overtime, holiday payments, shift differential payments, compensatory time payments, and payments in lieu of sick leave, paid to all active members during the preceding year, and effective July 1, 1981, the state's contribution is 12% of this compensation. This contribution shall increase to 15% effective July 1, 1982, to 18% effective July 1, 1983, ~~and to 22.98% effective July 1, 1985,~~ and to 23.27% effective July 1, 1991. As soon as practicable after receipt of the state contribution, the administrator shall deposit it with the state treasurer.""

Renumber: subsequent section

4. Page 2.

Following: line 10

Insert: "NEW SECTION. Section 3. {standard} Effective date. [This act] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

HB 830, introduced bill, be amended as follows:

2/20/91

1. Title, line 10.

Following: "AN"

Insert: "IMMEDIATE"

2. Page 3, line 20.

Following: "1."

Insert: "If the base salary of a newly confirmed police officer has not been set for the current fiscal year in time to be included in the August 1 report to the state auditor, the department shall make any retroactive adjustments necessary to individual supplemental benefits after the base salary has been determined and shall include these amounts in the next year's report for reimbursement at that time."

3. Page 4, line 20.

Strike: "July 1, 1991"

Insert: "on passage and approval"

And, as amended, do pass. Report adopted.

HB 941, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

2/21/91

HB 945, introduced bill, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/20/91

SB 200, introduced by Vaughn

SB 243, introduced by Mazurek

SB 253, introduced by Bengtson

SB 256, introduced by Gage

SB 257, introduced by Gage

SB 306, introduced by Keating

SB 307, introduced by Franklin

SB 310, introduced by Yellowtail

SB 326, introduced by Waterman

Governor's amendments concurred in:

2/20/91

SB 3, introduced by Nathe

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 962, introduced by Boharski, referred to Committee on Education and Cultural Resources

HB 963, introduced by Bardanouve, Rea, Madison, referred to Committee on Appropriations

HB 964, introduced by O'Keefe, Grady, Jergeson, Weeding, T. Beck, Gilbert, Schye, Tveit, referred to Committee on Appropriations

HB 965, introduced by J. Brown, Waterman, referred to Committee on State Administration

HB 966, introduced by Steppler, Cody, Menahan, Squires, Pipinich, McCarthy, Lynch, Jacobson, Quilici, Harrington, referred to Committee on State Administration

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/21/91
Delivered to the Governor for his approval at 3:10 p.m., 2/20/91: HB 207,
HB 372, HB 427.

NATURAL RESOURCES (Raney, Chairman): 2/21/91
HB 724, introduced bill, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Friday, February 22, 1991. Motion carried.

House adjourned at 1:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 22, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Representative J. Brown. Pledge of Allegiance to the Flag.

Roll call. All members present except Barnhart, Becker, Boharski, Brooke, D. Brown, Clark, Fagg, Gould, Hansen, R. Johnson, Keller, Lee, Measure, Messmore, L. Nelson, J. Rice, Russell, Schye, Stickney, Strizich, Toole, Whalen, Wyatt, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/22/91
Correctly printed: HB 155, HB 169, HB 328, HB 335, HB 351, HB 475, HB 487, HB 497, HB 539, HB 549, HB 559, HB 572, HB 574, HB 595, HB 620, HB 627, HB 630, HB 640, HB 642, HB 665, HB 667, HB 668, HB 672, HB 700, HB 724, HB 732, HB 745, HB 747, HB 749, HB 760, HB 771, HB 785, HB 814, HB 815, HB 830, HB 840, HB 908, HB 918, HB 945, HJR 20, HJR 30, HJR 31, HJR 32, HJR 33, HJR 39.

Correctly engrossed: HB 941.

Examined by the sponsor and found to be correct:

HB 16 - Driscoll

HB 119 - Ream

HB 280 - Thomas

Signed by the Speaker at 3:00 p.m., 2/21/91: HB 16, HB 280, HB 119, SB 38.

Delivered to the Governor for his approval at 4:48 p.m., 2/21/91: HB 16, HB 119, HB 280.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/21/91

HB 698, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "beer"

Insert: "from its storage depot or brewery located in Montana"

And, as amended, do pass. Report adopted.

HB 774, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Strike: "AND" on line 6

Following: "MCA" on line 7

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 10.

Strike: "a permit"

Insert: "authorization"

3. Page 2, line 13.

Following: line 12

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 943, introduced bill, be amended as follows:

1. Page 4, lines 15 and 16.

Following: "chapter" on line 15

Strike: remainder of line 15 through "sanitarian," on line 16

2. Page 5, line 3.

Following: "1"

Strike: "or"

3. Page 5, line 6.

Following: "sanitarian"

Insert: "; and

(6) any person not employed by a governmental entity in an official regulatory capacity"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

2/22/91

HB 144, introduced bill, be amended as follows:

1. Page 1, line 25 through page 2, line 1.

Following: line 24

Strike: line 25 through "engines" on page 2, line 1

Insert: "all products commonly or commercially known or sold as gasohol and used for the purpose of effectively and efficiently operating internal combustion engines, consisting of not less than 10% anhydrous ethanol produced from agricultural products, including wood or wood products"

2. Page 2, lines 17 and 18.

Strike: subsection (6) in its entirety

And, as amended, do pass. Report adopted.

HB 588, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "DURATION"

Insert: "CLASS, TYPE, AND ENDORSEMENT UPON PAYMENT OF THE REQUIRED FEES"

2. Title, line 10.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 2, line 8.

Strike: "duration"

Insert: "class, type, and endorsement upon payment of the required fees"

4. Page 2, line 12.

Following: "test"

Insert: "or, in the case of commercial drivers, any examination required by federal regulations"

5. Page 2.

Following: line 12

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 597, introduced bill, do pass. Report adopted.

HB 638, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 646, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 659, introduced bill, be amended as follows:

1. Title, line 4.

Following: "TO"

Strike: "EXEMPT A MOTORCYCLE"

Insert: "PROVIDE LIMITED EXEMPTIONS"

2. Title, line 6.

Following: "THE"

Strike: "MOTORCYCLE"

Insert: "OFF-HIGHWAY VEHICLE"

3. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS 23-2-802 AND"

4. Page 1, line 11.

Following: line 10

Insert: "Section 1. Section 23-2-802, MCA, is amended to read:

"23-2-802. Exemptions. The provisions of this part do not apply to:

(1) an off-highway vehicle:

(1)(a) owned or used by the United States or another state or an agency or political subdivision thereof;

(2)(b) registered in a country other than the United States, temporarily used within this state for not more than 30 days; or

(3)(c) registered in another state of the United States, temporarily used within this state for not more than 30 days; or

(2) a licensed motorcycle or licensed quadricycle used for fishing and hiking access, camping, or picnicking on a visible two-track trail or road within 1 mile of a designated road."

Renumber: subsequent section

5. Page 1, lines 13 and 14.

Following: "23-2-802" on line 13

Strike: remainder of line 13 through "no" on line 14

Insert: ", an"

6. Page 1, line 14.

Following: "may"

Insert: "not"

7. Page 1, line 15.

Following: "for"

Insert: "off-road"

8. Page 1, line 25.

Following: "and"

Insert: "motorcycles and"

9. Page 2, line 24 through page 3, line 2.

Strike: subsection (4) in its entirety

And, as amended, do pass and be placed on the consent calendar. Report adopted.

HB 899, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "AND"

2. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION DATE"

3. Page 2.

Following: line 10

Insert: "NEW SECTION. Section 2. Termination. [This act] terminates October 1, 1993."

And, as amended, do pass. Report adopted.

HJR 37, introduced bill, be amended as follows:

1. Page 2, line 12.

Strike: "intercourse"

Insert: "interchange"

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/21/91

HB 355, introduced bill, be amended as follows:

1. Title, lines 7 through 11.

Strike: "PROVIDING" on line 7 through "PROFESSIONAL" on line 11

Insert: "PROHIBITING AN INSURER FROM REFUSING TO PAY FOR BENEFITS MANDATED BY LAW"

2. Page 2, lines 20 and 21.

Strike: "\$8,000 for an adult and \$10,000 for a minor"

Insert: "\$7,000"

3. Page 2, lines 22 and 23.

Strike: "\$16,000 for an adult and \$20,000 for a minor"

Insert: "\$14,000"

4. Page 4, lines 1 and 2.

Strike: "\$8,000 for an adult and \$10,000 for a minor"

Insert: "\$7,000"

5. Page 4, lines 3 and 4.

Strike: "\$16,000 for an adult and \$20,000 for a minor"

Insert: "\$14,000"

6. Page 4, lines 5 through 14.

Following: line 4

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

7. Page 4, lines 15 through 19.

Following: "(3)"

Strike: the remainder of line 15 and all of lines 16 through 19

Insert: "An insurer, health service corporation, or an employees' health and welfare fund that provides accident and health insurance benefits to residents of the state under group health insurance or group health plans may not refuse to pay for, and thus effectively limit, a type of care or treatment when benefits are mandated under this part."

And, as amended, do pass. Report adopted.

HB 604, introduced bill, be amended as follows:

1. Page 1, line 18.

Strike: "or to whom the information pertains,"

And, as amended, do pass. Report adopted.

JUDICIARY (Strizich, Chairman):

2/22/91

HB 653, introduced bill, be amended as follows:

1. Page 7, lines 16 through 20.

Strike: section 8 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 675, introduced bill, do pass. Report adopted.

2/21/91

HB 767, introduced bill, be amended as follows:

1. Page 2, line 19.

Strike: "nonrefundable"

2. Page 3, line 19.

Following: "cleaning."

Insert: "If notice is mailed by certified mail, service of the notice is considered to have been made 3 days after the date of the mailing."

3. Page 5, line 14.

Strike: "7-day"

Insert: "10-day"

4. Page 5, line 22.

Page 6, line 20.

Strike: "prospective"

5. Page 6, lines 1, 4, and 24.

Strike: "prospective"

And, as amended, do pass. Report adopted.

HB 768, introduced bill, be amended as follows:

1. Page 15, line 11.

Strike: "the necessity of"

And, as amended, do pass. Report adopted.

HB 773, introduced bill, be amended as follows:

2/22/91

1. Title, line 5.

Strike: "OR EXAMINED"

2. Title, line 7.

Strike: "OR A PEACE OFFICER"

3. Page 1, line 13.

Strike: "or is examined"

4. Page 1, lines 14 and 15.

Strike: "at the time of detention or"

Insert: ", "

5. Page 1, line 15.

Strike: "examination"

Insert: "his appearance,"

6. Page 1, line 17.

Strike: "or a peace officer"

7. Page 1, line 18.

Strike: "or examination"

And, as amended, do pass. Report adopted.

HB 825, introduced bill, be amended as follows:

8/21/91

1. Page 2, lines 8 through 11.

Strike: ", unless" on line 8 through "crime" on line 11

2. Page 3, line 3.

Strike: "probable"

Insert: "reasonable"

3. Page 5, lines 8 through 13

Strike: lines 8 through 13 in their entirety

4. Page 5, line 17.

Strike: "Number of years"

Insert: "Dates of employment"

5. Page 5, line 24.

Strike: "15"

Insert: "5"

6. Page 6, line 1.

Strike: "Number of years"

Insert: "Dates of residence"

7. Page 6, line 10.

Following: "ARRESTED"

Insert: "FOR"

Strike: "COURT-MARTIALED"

Insert: "CONVICTED OF A CRIME OR FOUND GUILTY IN A COURT-MARTIAL PROCEEDING"

8. Page 6, line 21.

Strike: "FIVE"

Insert: "THREE"

9. Page 7, lines 4 and 5

Strike: lines four and five in their entirety

10. Page 8.

Following: line 1

Insert: "Date of application".....

Date of application

This application must be
signed in the presence of the
sheriff or his designee."

11. Page 9, line 5.

Following: "permits."

Insert: "Replacement of a lost permit must be treated as a renewal under this subsection."

12. Page 9, line 21.

Strike: "it was issued"

Insert: "the permittee resides"

13. Page 11, line 25.

Following: "weapon"

Insert: ", except that for purposes of [sections 1 through 8] concealed weapon means a handgun or a knife with a blade 4 or more inches in length that is wholly or partially covered by the clothing or wearing apparel of the person carrying or bearing the weapon"

14. Page 12, line 2.

Strike: "does"

Insert: "and [section 8] do"

15. Page 12, line 17.

Following: "{8}"

Insert: "an agent of the department of justice or"

16. Page 12, lines 17 and 18.

Strike: "the office of the attorney general or in"

And, as amended, do pass. Report adopted.

HB 839, introduced bill, be amended as follows:

2/22/91

1. Page 5, line 4.

Following: "may"

Insert: ", if not otherwise prohibited by law,"

Following: "defer"

Insert: "imposition of"

2. Page 5, line 5.

Strike: "imposition of"

And, as amended, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 2/22/91

HB 124, introduced bill, be amended as follows:

1. Title, lines 5 through 9.

Following: "TO" on line 5

Strike: remainder of line 5 through "DEPOSITED" on line 6

Insert: "MAINTAIN A BALANCE OF FUNDS"

Following: "ACCOUNT" on line 7

Insert: "SUFFICIENT"

Following: "OFFICES" on line 8

Insert: "AT THE FUNDING LEVEL ESTABLISHED FOR THE 1990-91 FISCAL YEAR"

Following: ";" on line 8

Strike: "AND"

Following: "MCA" on line 9

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A
RETROACTIVE APPLICABILITY DATE"

2. Page 3, lines 14 and 15.

Following: "~~purposes~~"

Strike: remainder of line 14 through "All" on line 15

Insert: "administrative purposes. Except as provided in (5), all"

3. Page 3, line 18.

Following: "legislature."

Strike: "Any"

Insert: "Except as provided in (5), any"

4. Page 3, line 23.

Following: line 22

Insert: "(5) Based on its estimation of federal funding for each biennium,
the department shall maintain a balance of funds in the
assessment account sufficient to guarantee the level of funding
established for the 1990-91 fiscal year to maintain services at
public employment offices.

NEW SECTION. Section 2. Effective date -- retroactive
applicability. [This act] is effective on passage and approval and
applies retroactively, within the meaning of 1-2-109, to June 30,
1988."

And, as amended, do pass. Report adopted.

HB 712, introduced bill, be amended as follows:

1. Title, line 4.

Following: "THAT"

Insert: ", WITH THE EXCEPTION OF FOOTWEAR,"

2. Title, line 6.

Following: "PROTECTIVE"

Insert: "SAFETY"

3. Page 1, line 20.

Following: "(2)"

Insert: "with the exception of footwear,"

4. Page 1, line 22.

Page 2, lines 11 and 15

Following: "protective"

Insert: "safety"

5. Page 1, line 24.

Following: "employer."

Strike: "or"

Insert: "and"

And, as amended, do pass. Report adopted.

HB 729, introduced bill, do pass. Report adopted.

HB 804, introduced bill, do pass. Report adopted.

HB 807, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ACTS;"

Insert: "TO REQUIRE THAT AN INDIVIDUAL FOUND TO BE AN INDEPENDENT CONTRACTOR UNDER TITLE 39, CHAPTER 71, PART 4, MCA, IS AN INDEPENDENT CONTRACTOR FOR PURPOSES OF TITLE 39, CHAPTER 71, MCA; TO REQUIRE THE DEPARTMENT OF LABOR AND INDUSTRY TO REPORT INDEPENDENT CONTRACTOR AND EMPLOYMENT EXEMPTIONS TO THE STATE COMPENSATION MUTUAL INSURANCE FUND;"

2. Page 2, line 24 through page 3, line 3.

Following: "performed" on line 24

Strike: remainder of line 24 through "distribution;" on page 3, line 3

Insert: "as a newspaper carrier or free-lance correspondent if the person performing the services or a parent or guardian of the person performing the services in the case of a minor has acknowledged in writing that the person performing the services and the services are not covered. As used in this subsection:

(i) "free-lance correspondent" is a person who submits articles or photographs for publication and is paid by the article or by the photograph; and

(ii) "newspaper carrier" means a person who provides a newspaper with the service of delivering newspapers singly or in bundles. The term does not include an employee of the paper who, incidentally to his main duties, carries or delivers papers."

3. Page 5, line 6.

Following: line 5

Insert: "(n) employment of sole proprietors or working members of a partnership;"

Renumber: subsequent subsections

4. Page 6, lines 1 through 16.

Strike: subsections (1)(o) through (1)(t) in their entirety

5. Page 7, line 20.

Following: line 19

Insert: "(4) An individual found to be an independent contractor by the department under the terms of 39-71-401(3) is considered an independent contractor for the purposes of this chapter."

6. Page 8, lines 11 through 14.

Following: "employment" on line 11

Strike: remainder of line 11 through "39-51-203(9)" on line 14

Insert: "employment"

7. Page 8, lines 15 through 21.

Following: "39-71-116" on line 15
Strike: remainder of line 15 through "." on line 21
Insert: ";

8. Page 8, line 24 through page 9, line 2.
Following: "~~Code~~" on line 24
Strike: remainder of line 24 through "mother" on page 9, line 2
Insert: "a dependent member of an employer's family for whom an exemption may be claimed by the employer under the federal Internal Revenue Code"

9. Page 9, lines 6 through 8.
Following: "~~regulation~~" on line 6
Strike: remainder of line 6 through "earnings" on line 8
Insert: "a broker or salesman performing under a license issued by the board of realty regulation"

10. Page 10, line 13 through page 12, line 22.
Strike: subsections (2)(l) through (2)(s) in their entirety

11. Page 12, line 23.
Following: line 22
Insert: "(l) cosmetologist's services and barber's services as defined in 39-51-204(1)(l)."

12. Page 12, lines 25 through page 13, line 2.
Following: "contractor" on line 25
Strike: remainder of line 25 through "39-51-204(1)(l)" on page 13, line 2

13. Page 15, line 21.
Following: line 20
Insert: "NEW SECTION. Section 3. Exemption. An exemption granted under 39-71-401(3) by the department that a particular employee is an independent contractor or that a particular employment is exempt from the provisions of this chapter must be reported to the state compensation mutual insurance fund.

NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 39, chapter 51, part 6, and the provisions of Title 39, chapter 51, part 6, apply to [section 3]."

ReNUMBER: subsequent sections

And, as amended, do pass. Report adopted.

HB 812, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 836, introduced bill, be amended as follows:

1. Title, line 6.
Following: "CLAIMS;"
Insert: "PROVIDING FOR PROCEEDINGS ON PAYMENT OF PREVAILING WAGE RATES BEFORE A DEPARTMENT OF LABOR AND

INDUSTRY HEARING OFFICER; PROVIDING A METHOD OF
DETERMINING THE STANDARD PREVAILING WAGE;"

2. Title, lines 7 through 9.

Following: "18-2-424," on line 7

Insert: "AND"

Following: "18-2-432," on line 8

Strike: "39-3-201, AND 39-3-212,"

Following: "MCA;" on line 8

Strike: remainder of line 8 through "MCA;" on line 9

3. Page 3, line 11.

Following: line 10

Insert: "(b) When 30% or more of the work in a district is not the prevailing wage for that craft or labor being performed, the prevailing wage rate is the weighted average wage based on all hours worked of a similar character performed in the district."

Renumber: subsequent subsection

4. Page 4, lines 3 and 4.

Following: "department" on line 3Strike: "liquidated damages"

Insert: "a penalty"

Following: "at" on line 4Strike: "the"

Insert: "a"

Following: "of" on line 4

Insert: "up to"

5. Page 4, line 20.

Following: "worker"

Insert: "or employee organization"

6. Page 5, line 22.

Following: "\$1,000"

Strike: "10%"

Insert: "3%"

7. Page 6, lines 9 through 12.

Following: "suspended"

Insert: "direct the department of commerce to initiate proceedings to"

Following: "37-71-301" on line 10

Insert: ". If the district court or the supreme court finds that a violation has occurred, the license must be suspended"

Following: "year"Strike: "5"

Insert: "3"

Following: "judgment" on line 11

Strike: remainder of line 11 through "court" on line 12

8. Page 6, line 23 through page 8, line 14.

Strike: sections 6, 7 and 8 in their entirety

Renumber: subsequent sections

9. Page 8, line 13.

Following: line 12

Insert: "NEW SECTION. Section 6. Prevailing wage rate proceeding. Payment of standard prevailing wage rates must be enforced pursuant to 18-2-407, and all proceedings must be brought before a department hearing officer. The decision of the hearing officer may be appealed by filing a petition in district court.

NEW SECTION. Section 7. Codification instruction. [Section 8] is intended to be codified as an integral part of Title 18, chapter 2, part 4, and the provisions of Title 18, chapter 2, part 4, apply to [section 8]."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 837, introduced bill, be amended as follows:

1. Title, line 6.

Following: "39-71-116,"

Strike: "39-71-123," and "39-71-701,"

2. Title, line 7.

Following: "39-71-741,"

Insert: "39-71-1003,"

3. Title, lines 8 and 9.

Following: "39-71-1025,"

Insert: "AND"

Following: "39-71-1032,"

Strike: "39-72-601, AND 39-72-602,"

4. Title, line 10.

Following: "39-71-1018,"

Strike: "39-71-1019,"

5. Page 6, line 11 through page 8, line 21.

Strike: section 2 in its entirety

Renumber: subsequent sections

6. Page 11, lines 14 and 15.

Following: "department"

Strike: "or by any court"

7. Page 11, line 16 through page 13, line 3.

Strike: section 4 in its entirety

Renumber: subsequent sections

8. Page 13, line 7.

Following: "is"

Strike: "unable to return to work due to injury"

Insert: "permanently totally disabled, as defined in 39-71-116"

9. Page 17, line 20.

Following: "percentages"

Insert: "to the impairment rating"

10. Page 17, line 23.

Following: "injury."

Strike: "3%"

Insert: "2%"

11. Page 17, line 25.

Following: "injury."

Strike: "5%"

Insert: "3%"

12. Page 18, line 2.

Following: "education."

Strike: "5%"

Insert: "3%"

13. Page 18, line 4.

Following: "diploma."

Strike: "3%"

Insert: "2%"

14. Page 19, line 2.

Following: "injury"

Insert: "or injuries"

15. Page 19, line 4.

Strike: "must" through "amount"

Insert: "may not duplicate any amounts"

16. Page 19, line 5.

Following: "injury"

Insert: "or injuries"

17. Page 22, line 25.

Following: line 24

Insert: "(b) The total of any lump-sum conversion in part that is awarded to a claimant prior to the claimant's final award may not exceed the anticipated award under 39-71-703 or \$20,000, whichever is less."

Renumber: subsequent subsections

18. Page 24, lines 6 through 8.

Strike: subsection (2)(d) in its entirety

19. Page 24, line 11.

Following: "advance"

Strike: "payments"

Insert: "conversions in part that are awarded"

20. Page 25, lines 3 and 4.

Following: "under"

Strike: "this section"

Insert: "subsection (3)"

21. Page 26, line 15.

Following: line 14

Insert: "Section 7. Section 39-71-1003, MCA, is amended to read:

"39-71-1003. Eligibility for vocational rehabilitation expenses. (1) Upon certification by the department of social and rehabilitation services, a disabled worker may be paid vocational rehabilitation expenses from funds provided in 39-71-1004, in addition to benefits payable under the Workers' Compensation Act.

(2) The appeal process provided for in 53-7-106 is the exclusive remedy for an injured worker aggrieved in the receipt of vocational rehabilitation services provided by the department of social and rehabilitation services."

Renumber: subsequent sections

22. Page 27, lines 9 through 11 .

Strike: line 9 through "work" on line 11

Insert: "to assist a disabled worker in acquiring skills or aptitudes to return to work through job placement, on-the- job training, education, training, or specialized job modification"

23. Page 27, line 16.

Following: "department"

Insert: "or a department of social and rehabilitation services counselor when a worker has been certified by the department of social and rehabilitation services under 39-71-1003"

24. Page 28, line 15 through page 30, line 6.

Following: "benefits." on line 15

Strike: remainder of line 15 through "department." on page 30, line 6

Insert: "(1) An injured worker is eligible for rehabilitation benefits if:

(a) the injury results in permanent partial disability or permanent total disability as defined in 39-71-116;

(b) a physician certifies that the injured worker is physically unable to work at the job the worker held at the time of the injury;

(c) a rehabilitation plan completed by a rehabilitation provider and designated by the insurer certifies that the injured worker has reasonable vocational goals and a reemployment and wage potential with rehabilitation. The plan must take into consideration the worker's age, education, training, work history, residual physical capacities, and vocational interests; and

(d) a rehabilitation plan between the injured worker and the insurer is filed with the department. If the plan calls for the expenditure of funds under 39-71-1004, the department shall authorize the department of social and rehabilitation services to use the funds.

(2) After filing the rehabilitation plan with the department, the injured worker is entitled to receive rehabilitation benefits at the injured worker's temporary total disability rate. The benefits

must be paid for the period specified in the rehabilitation plan, not to exceed 104 weeks. Rehabilitation benefits must be paid during a reasonable period, not to exceed 10 weeks, while the worker is waiting to begin the agreed-upon rehabilitation plan. Rehabilitation benefits must be paid while the worker is satisfactorily completing the agreed-upon rehabilitation plan.

(3) If the rehabilitation plan provides for job placement, a vocational rehabilitation provider shall assist the worker in obtaining other employment and the worker is entitled to weekly benefits for a period not to exceed 8 weeks at the worker's temporary total disability rate. If, after receiving benefits under this subsection, the worker decides to proceed with a rehabilitation plan, the weeks in which benefits were paid under this subsection may not be credited against the maximum of 104 weeks of rehabilitation benefits provided in this section.

(4) If there is a dispute as to whether an injured worker can return to the job the worker held at the time of injury, the insurer shall designate a rehabilitation provider to evaluate and determine whether the worker can return to the job held at the time of injury. If it is determined that he cannot, the worker is entitled to rehabilitation benefits and services as provided in subsection (2).

(5)"

Renumber: subsequent subsection

25. Page 30, lines 8 and 10.

Following: "time."

Strike: remainder of line 8 through "period." on line 10

26. Page 30, line 11.

Following: "provider"

Insert: ", as authorized by the insurer,"

27. Page 31, lines 15 through 18.

Following: "cooperates."

Strike: remainder of line 15 through "made." on line 18

28. Page 32, lines 2 through 6.

Following: "(3)"

Strike: remainder of line 2 through "provider." on line 6

29. Page 32, line 12 through page 35, line 1.

Strike: sections 14 and 15 in their entirety

Renumber: subsequent sections

30. Page 35, lines 3 and 5.

Strike: "11"

Insert: "10"

31. Page 35, line 8.

Strike: "39-71-1019,"

32. Page 35, line 10.

Following: line 9

Insert: "NEW SECTION. Section 15. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 875, introduced bill, do pass. Report adopted.

HB 882, introduced bill, do pass. Report adopted.

HJR 38, introduced bill, do pass and be placed on the consent calendar. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 2/22/91

HB 706, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 791, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HJR 34, introduced bill, do pass and be placed on the consent calendar. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 2/22/91

HB 671, introduced bill, be amended as follows:

1. Title, line 12.

Following: "SUBDIVISIONS;"

Strike: remainder of line 12

2. Title, line 15.

Following: "76-3-402,"

Strike: "76-3-403,"

3. Page 2, line 11.

Following: "tø"

Insert: "promote the public health, safety, and general welfare by regulating the subdivision of land; to prevent overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light, air, water supply, sewage disposal, parks and recreation areas, ingress and egress, and other public requirements; to require development in harmony with the natural environment; to require that whenever necessary, the appropriate approval of subdivisions be contingent upon a written finding of public interest by the governing body; and to"

4. Page 2, lines 13, 15, 16, and 17.

Following: "divisions;" on line 13

Insert: "to"

Following: "survey;" on line 15

Insert: "to"

Following: "subdivisions;" on line 16

Insert: "and to"

Following: "subdivisions" on line 17

Strike: "; and protect public health, safety, and welfare"

5. Page 2, line 19.

Following: "owners."

Insert: "For the purpose of this chapter, rights of property owners include the right to use, enjoy, improve, sell, and convey, in total or in part, real property so long as the exercise of the rights does not deny these rights to other property owners or adversely affect public health, safety, and welfare."

6. Page 3, line 10.

Following: first "of"

Strike: "one or more"

7. Page 3, lines 16 and 17.

Following: line 15

Strike: subsection (4) in its entirety

Re-number: subsequent subsections

8. Page 4, line 4 through line 8.

Following: line 3

Strike: subsection (8) in its entirety

Re-number: subsequent subsections

9. Page 4, line 12.

Following: "owner"

Insert: "the right of"

10. Page 4, line 17 through line 24.

Following: "of" on line 17

Insert: "the first"

Following: "five" on line 17

Strike: "or fewer"

Following: "parcels" on line 18

Strike: ". A second or subsequent minor subdivision" on line 18

Following: "1991" on line 19

Strike: remainder of line 19 through "application" on line 24

11. Page 5, line 25 through page 6, line 6.

Following: line 24

Strike: subsection (17) in its entirety

Re-number: subsequent subsections

12. Page 6, line 17 through line 20.

Following: "plan" on line 17

Strike: "pursuant to 76-1-601,"

Insert: "and"

Following: "projects" on line 18

Insert: "adopted"

Following: "76-1-601" on line 19

Strike: " "

Following: "and" on line 19

Strike: "either" on line 19 through "or" on line 20
Following: "regulations" on line 20
Insert: "adopted"

13. Page 6, line 25.
Following: "that"
Strike: "it"
Following: "creates"
Strike: "one or more"

14. Page 7, line 1 through line 10.
Following: "aeres"
Strike: ", exclusive" on line 1 through "year" on line 10
Insert: ". The term includes:
 (i) any resubdivision;
 (ii) any residential condominium or building;
 (iii) any area, regardless of its size, that provides or will
provide multiple space for recreational camping vehicles or dwelling
units; and
 (iv) work camp structures constructed to exist for longer
than 1 year"

15. Page 7, line 25.
Following: "by"
Insert: "operation of law or an"

16. Page 8, line 6 through line 7.
Following: "state" on line 6
Strike: "pursuant" on line 6 through "30" on line 7

17. Page 9, lines 1 and 2.
Following: "the" on line 1
Strike: "survey" on line 1 through "the" on line 2

18. Page 9, line 6.
Strike: "or"

19. Page 9, line 17.
Following: line 16
Insert: "(xiii) a division of land made for the purpose of mining when an
application has been submitted or a permit or contract received
under the provisions of Title 82, chapter 4."

20. Page 9, line 24.
Following: line 23
Insert: "(23) "Water user entity" means an entity as described in 7-12-1151
and irrigation districts as provided in 85-7-101."

21. Page 10, line 22 through page 11, line 9.
Following: line 21
Strike: section 5 in its entirety
Renumber: subsequent sections

22. Page 14, lines 13 and 14.

Following: "as" on line 13

Strike: "1/32"

Insert: "1/16"

Following: "or" on line 14

Insert: "as"

23. Page 15, lines 13 through 21.

Following: line 12

Strike: section 13 in its entirety

Renumber: subsequent sections

24. Page 17, line 18.

Following: "shall"

Insert: ", in a manner that protects the rights of property owners,"

25. Page 18, line 10 through line 13.

Following: "~~services.~~"

Strike: "~~implementing~~" on line 10 through "~~land.~~" on line 13

Insert: "providing for the orderly development of their jurisdictional areas; for the coordination of roads within subdivided land with other roads, both existing and planned; for the dedication of land for roadways and for public utility easements; for the improvement of roads; for the provision of adequate open spaces for travel, light, air, and recreation; for the provision of adequate transportation, water, drainage, and sanitary facilities; for the avoidance or minimization of congestion; and for the avoidance of subdivision that would involve unnecessary environmental degradation and the avoidance of danger of injury to health, safety, or welfare by reason of natural hazard or the lack of water, drainage, access, transportation, or other public services or would necessitate an excessive expenditure of public funds for the supply of these services. For the purpose of this chapter, rights of property owners include the right to use, enjoy, improve, sell, and convey, in total or in part, real property so long as the exercise of the rights does not deny these rights to other property owners or adversely affect public health, safety, and welfare."

26. Page 18, line 17.

Following: "~~procedures~~"

Insert: ", based on the minimum requirements as provided in 7-1-4127,"

27. Page 18, line 22.

Strike: "~~20 and 21~~"

Insert: "18 and 19"

28. Page 19, line 2.

Strike: "~~26~~"

Insert: "24"

29. Page 19, lines 8 and 9.

Strike: "~~financial~~" on line 8 through "~~values~~" on line 9

Insert: "if a proposed major, minor, or special subdivision lies partly or totally within the boundaries of a water user entity, that the proposed plat of the subdivision be submitted for review to the water user entity to ensure that the existence and location of all water user facilities are properly noted on the plat. Water user facilities include but are not limited to canals, laterals, open drains, and closed drains"

30. Page 22, line 21.

Strike: "and"

31. Page 23, line 9.

Strike: "26"

Insert: "24"

Following: "I"

Insert: "; and

(3) additional relevant and reasonable information as may be required by the governing body"

32. Page 24, lines 5 and 6.

Following: "than" on line 5

Strike: "two"

Insert: "one"

Following: "informational" on line 5

Strike: "hearings"

Insert: "hearing"

Following: "The hearing" on line 5

Strike: "or" on line 5 and "hearings" on line 6

33. Page 24, line 24 through page 25, line 3.

Following: "The" on line 24

Strike: "first"

Following: "expense." on line 25

Strike: "If" on line 25 through "petitioner." on page 25, line 3

34. Page 25, line 6.

Following: "than"

Strike: "10"

Insert: "20"

35. Page 25, line 15 through line 20.

Following: "form" on line 15

Strike: ", and" on line 15 through "actions" on line 20

36. Page 25, line 24.

Following: "given"

Insert: "by the governing body"

37. Page 26, line 6 through line 8.

Following: "decision" on line 6

Insert: "to approve, disapprove, or conditionally approve the subdivision application"

Following: "or" on line 7

Strike: "hearings" on line 8

Insert: "after the time for a hearing has expired"

38. Page 27, line 6 through line 16.

Following: line 5

Strike: subsection 4 in its entirety

Insert: "(4) Within 15 days following submission to the governing body of a complete application by the subdivider, a public hearing on the subdivision may be requested by the subdivider or by a citizen who demonstrates that he would be substantially adversely affected by the subdivision."

39. Page 27, line 18.

Strike: "petitions"

Insert: "requests a hearing"

40. Page 27, line 20.

Strike: "20"

Insert: "18"

41. Page 27, line 21 through line 24.

Following: "officer" on line 21

Insert: ", "

Following: "and" on line 21

Strike: ", if" on line 21 through "The" on line 24

Insert: "the"

42. Page 28, line 13 and line 18.

Following: "given" on line 13

Insert: "by the governing body"

Following: "hearing" on line 18

Insert: "by the governing body"

43. Page 28, lines 22 and 23.

Following: "on" on line 22

Strike: "the" on line 22 through "probable" on line 23

Insert: "cultural or historical resources or environmental or ecological resources, including wildlife and wildlife habitat, are probable or that the subdivision would cause substantial adverse fiscal costs to the local government"

44. Page 29, line 2.

Following: "in"

Insert: "this"

Following: "subsection"

Strike: "(4)"

45. Page 29, line 8.

Following: "impacts."

Insert: "It is recognized that in some instances the impacts of a proposed development may be unacceptable and will preclude approval of the plat."

46. Page 29, line 12 through line 19.

Following: "(12)" on line 12

Strike: "In" on line 12 through "(b)" on line 19

47. Page 31, line 16.

Following: "approved"

Insert: "final"

48. Page 31, lines 22 and 24, page 32, lines 2 and 5.

Following: "(a)" on line 22

Strike: "7.5%"

Insert: "10%"

Following: "(b)" on line 24

Strike: "5%"

Insert: "7.5%"

Following: "(c)" on page 32, line 2

Strike: "2.5%"

Insert: "5%"

Following: "(d)" on page 32, line 5

Strike: "1.25%"

Insert: "2.5%"

49. Page 32, line 8 through line 23.

Following: "(2)" on line 8

Strike: "Based" on line 8 through "acre." on line 23

Insert: "When a subdivision is located totally within an area for which density requirements have been adopted pursuant to a master plan under Title 76, chapter 1, or pursuant to zoning regulations under Title 76, chapter 2, the governing body may establish park dedication requirements based on the community need for parks and the development densities identified in the plans or regulations. Park dedication requirements established under this subsection are in lieu of those provided in subsection (1) and may not exceed 0.03 acres per dwelling unit."

50. Page 33, line 8 through line 9.

Following: line 7

Strike: subsection (5) in its entirety

Insert: "(5) The governing body, in consultation with the subdivider and the planning board or park board having jurisdiction, may determine suitable locations for parks and playgrounds and, giving due weight and consideration to the expressed preference of the subdivider, may determine whether the park dedication must be a land donation, cash donation, or a combination of both."

51. Page 34, line 21.

Following: "extending"

Insert: "capital facilities related to public health and safety, including but not limited to"

52. Page 35, line 14.

Following: line 13

Insert: "[section 19],"

Strike: "26"

Insert: "24"

Following: "]"

Insert: ", "

53. Page 36, line 1 through line 3.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

54. Page 36, lines 11, 12, 13, and 16.

Following: "(i)" on line 11

Strike: "for a primitive tract;" on line 11 and "[A]" on line 12

Following: "provided;" on line 12

Strike: "and" on line 12 and "(B)" on line 13

Insert: "(ii)"

Following: line 15

Strike: "(ii) for any other tract," on line 16

Insert: "(iii)"

55. Page 36, line 25.

Following: "by"

Strike: "the following"

Following: "hazards"

Insert: ", including but not limited to"

56. Page 37, lines 2 and 3.

Following: "occurred" on line 2

Strike: "in" on line 2 through "years" on line 3

57. Page 37, line 18.

Following: "be"

Strike: "recommended"

Insert: "required"

58. Page 37, line 24.

Strike: "(3)(f)"

Insert: "(3)(e)"

59. Page 38, line 8.

Strike: "20 and 22"

Insert: "18 and 20"

60. Page 38, lines 11 and 12.

Following: line 10

Strike: subsections (b) and (c) in their entirety

Insert: "(b) cultural or historical resources;

(c) environmental or ecological resources, including
wildlife and wildlife habitat; and"

61. Page 38, line 22.

Strike: "20"

Insert: "18"

62. Page 39, line 15.

Following: "impacts."

Insert: "It is recognized that in some instances the impacts of a proposed development may be unacceptable and will preclude approval of the plat."

63. Page 39, line 19 through page 40, line 1.

Following: "(g)" on line 19

Strike: "In" on line 19 through "(ii)" on page 40, line 1

64. Page 40, line 6.

Strike: "23"

Insert: "21"

65. Page 41, line 12.

Strike: "6"

Insert: "5"

66. Page 41, line 21.

Following: "to"

Insert: "76-3-403 and"

67. Page 43, line 10.

Strike: "23"

Insert: "21"

68. Page 44, line 15.

Strike: "23"

Insert: "21"

69. Page 45, line 21 through line 22.

Following: "subdivision" on line 21

Strike: "excluded" on line 21 through "3" on line 22

70. Page 46, line 8 through line 9.

Following: line 7

Strike: "pursuant" on line 8 through "(30)" on line 9

71. Page 47, line 1.

Following: page 46

Strike: "and"

72. Page 47, line 5.

Following: "rule"

Insert: "; and

(i) a division created to provide security for construction mortgages, liens, or trust indentures"

73. Page 48, lines 9 and 11.

Following: "Repealer." on line 9

Insert: "(1)"

Following: "76-3-210," on line 11

Insert: "MCA, are repealed.

(2) Sections"

74. Page 48, line 14.

Strike: "6, 20 through 24"

Insert: "18 through 22"

Strike: "26"

Insert: "24"

75. Page 48, lines 16 and 17.

Strike: "6, 20 through 24"

Insert: "18 through 22"

Strike: "26"

Insert: "24"

76. Page 49, lines 4 and 5.

Following: "3," on line 4

Insert: "30,"

Following: "and" on line 4

Strike: "32"

Insert: "33(1)"

Strike: "31, 33, and 34" on line 5

Insert: "29, 31, 32, and 33(2)"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

2/21/91

HB 902, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "land"

Insert: "or for other consideration"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/21/91

SB 248, introduced by Hammond

SB 265, introduced by Grosfield

SB 266, introduced by Grosfield

SB 267, introduced by Towe

SB 277, introduced by Gage

SB 287, introduced by Gage

SB 293, introduced by Doherty

SB 304, introduced by Stimatz

SB 335, introduced by Noble

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 22, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 207, 372 and 427 on February 22, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 967, introduced by Bradley, Thomas, Blaylock, B. Brown, referred to Committee on Appropriations

HB 968, introduced by Brooke, referred to Committee on Judiciary

Representative Driscoll moved the House recess until 1:45 p.m. Motion carried.

House recessed at 1:15 p.m.

House reconvened at 2:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/22/91

HB 782, introduced bill, be amended as follows:

1. Page 7, line 19.

Following: "Shielding"

Strike: "---"

Insert: "and removal of"

2. Page 7, line 22.

Following: "view"

Insert: "or remove the vehicles to a licensed motor vehicle wrecking facility or to a licensed motor vehicle graveyard after the vehicles are released from the owner"

And, as amended, do pass. Report adopted.

HB 847, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "THE"

Insert: "CERTAIN"

2. Page 6, line 25 and page 7, line 6.

Strike: "part"

Insert: "certain sections"

3. Page 7, lines 1 and 7.

Strike: "this part"

Insert: "23-5-306, 23-5-308, and 23-5-309"

4. Page 7, lines 3 and 10.

Strike: "and"

5. Page 7, lines 5 and 12.

Following: "operation"

Insert: "; and

(3) does not operate live card games in a predominantly commercial manner"

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

2/22/91

HB 853, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: ";" on line 5

Strike: remainder of line 5 through "COMMISSIONERS" ON LINE 6

Insert: "GRANTING THE LOCAL GOVERNING BODY DISCRETION IN ESTABLISHING MILL LEVIES FOR A PORT AUTHORITY"

2. Title, lines 6 and 7.

Following: "SECTIONS" on line 6

Strike: remainder of line 6 through "7-14-1103," on line 7

Following: "7-14-1125,"

Strike: "AND"

3. Title, line 8.

Following: "7-14-1126,"

Insert: "7-14-1131, AND 7-14-1133,"

4. Page 1, line 11 through page 3, line 17.

Strike: sections 1 through 3 in their entirety

Renumber: subsequent sections

5. Page 4, line 5.

Following: "storage"

Insert: "transportation, storage, and other"

6. Page 5, lines 15 through 16.

Following: "(1)"

Strike: remainder of line 15 through "bodies" on line 16

Insert: "request annually the amount of tax to be levied by the governing body for port purposes, which request the governing body may in its discretion approve"

7. Page 5, line 25.

Following: "storage"

Insert: "transportation, storage, or other"

8. Page 6, line 7.

Following: "storage"

Insert: "transportation, storage, or other"

9. Page 6, line 10.

Following: "storage"

Insert: "transportation, storage, or other"

10. Page 7, line 9.

Following: "storage"

Insert: "transportation, storage, or other"

11. Page 7, line 20.

Following: "storage"

Insert: "transportation, storage, or other"

12. Page 8, line 8.

Following: "storage"

Insert: "transportation, storage, or other"

13. Page 8, line 20.

Following: "storage"

Insert: "transportation, storage, or other"

14. Page 8, line 25 through page 9, line 3.

Strike: section 9 in its entirety

15. Page 9, line 4.

Following: line 3

Insert: "Section 6. Section 7-14-1131, MCA, is amended to read:

"7-14-1131. Municipal tax levy. The port authority may ~~certify request~~ annually to ~~from~~ the governing bodies the amount of tax to be levied by each municipality participating in the creation of the port authority, and the municipality may levy the amount ~~certified requested~~, pursuant to provisions of law authorizing cities and other political subdivisions of this state to levy taxes. The levy made may not exceed the maximum levy permitted by 67-10-402 for port purposes or any lower limit that may have been established by the municipality or municipalities in the resolution creating the authority. The municipality shall collect the taxes ~~certified requested~~ by a port authority that it has authorized in the same manner as other taxes are levied and collected and make payment to the port authority. The proceeds of such taxes when

and as paid to the port authority must be deposited in a special account or accounts in which other revenues of the authority are deposited and may be expended by the authority as provided for in this part. Prior to the issuance of bonds under 7-14-1133 and 7-14-1134, the port authority or the municipality may by resolution covenant and agree that the total amount of such taxes then authorized by law, or such portion thereof as may be specified by the resolution, will be ~~certified~~ requested, levied, and deposited annually as provided in this section until the bonds and interest thereon are fully paid."

Section 7. Section 7-14-1133, MCA, is amended to read:

"7-14-1133. Bonds and obligations. (1) Except for providing financial support to a private development organization, including a corporation organized under Title 32, chapter 4, whose purpose is to advance the economic development of its jurisdiction and of the state and its citizens, an authority may borrow money for any of its corporate purposes and issue bonds therefor, including refunding bonds, in such form and upon such terms as it determines, payable out of any revenues of the authority, including revenues derived from:

- (a) any port or transportation and storage facility;
- (b) taxes levied pursuant to 7-14-1131 or 67-10-402;
- (c) grants or contributions from the federal government; or
- (d) other sources.

(2) The bonds may be issued by resolution of the authority, without an election and without any limitation of amount, except that no bonds may be issued at any time if the total amount of principal and interest to become due in any year on such bonds and on any then outstanding bonds for which revenues from the same source are pledged exceeds the amount of such revenues to be received in that year, as estimated in the resolution authorizing the issuance of the bonds. The authority shall take all action necessary and possible to impose, maintain, and collect rates, charges, and rentals; and to request taxes, if any are pledged, sufficient to make the revenues from the pledged source in such year at least equal to the amount of principal and interest due in that year.

(3) The bonds may be sold at public or private sale and may bear interest as provided in 17-5-102. Except as otherwise provided in this part, any bonds issued pursuant to this part by an authority may be payable as to principal and interest solely from revenues of the authority and shall state on their face the applicable limitations or restrictions regarding the source from which such principal and interest are payable.

(4) Bonds issued by an authority, county, or municipality pursuant to the provisions of this part are declared to be issued for an essential public and governmental purpose by a political subdivision within the meaning of 15-30-111(2)(a).

(5) For the security of any such bonds, the authority, county, or municipality may by resolution make and enter into any covenant, agreement, or indenture and may exercise any additional powers authorized to be exercised by a municipality under Title 7,

chapter 7, parts 44 and 45. The sums required from time to time to pay principal and interest and to create and maintain a reserve for the bonds may be paid from any revenues referred to in this part, prior to the payment of current costs of operation and maintenance of the facilities.

(6) Nothing in this section or 7-14-1134 may be construed to limit the use of port authority revenues, including federal and state money as described in 7-14-1136, to make grants and loans or to otherwise provide financial and other support to private development organizations, including corporations organized under the provisions of the development corporation act in Title 32, chapter 4. Under no circumstances may the credit of the state, county, or municipal governments or their agencies or authorities be pledged to provide financial support to such development organizations.""

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
HB 535, introduced bill, be amended as follows:

2/22/91

1. Page 2, line 4.

Following: "commissioner"

Strike: "the attorney general."

2. Page 2, line 8.

Strike: ":"

3. Page 2, lines 9 through 15.

Strike: subsections (i) and (ii) in their entirety

Insert: "the commissioner or the appropriate county attorney has failed to either commence an action or dismiss the complaint by written notification to the complainant within 50 days after notice."

4. Page 2, line 22.

Strike: "may"

Insert: "shall"

And, as amended, do pass. Report adopted.

HB 644, introduced bill, do pass. Report adopted.

HB 727, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "7.937%"

Insert: "7.907%"

2. Page 1, line 23.

Strike: "8.07%"

Insert: "8.04%"

3. Page 1, line 24.

Strike: "8.22%"

Insert: "8.19%"

4. Page 3, lines 6 through 8.

Following: "retirement." on line 6

Strike: remainder of line 6 through line 8 in its entirety

And, as amended, do pass. Report adopted.

HB 936, introduced bill, be amended as follows:

1. Title, line 4.

Following: "THAT"

Strike: "A"

Insert: "CERTAIN"

2. Title, line 5.

Strike: "EMPLOYEE"

Insert: "EMPLOYEES"

Title, line 6.

Strike: "HIS EMPLOYER"

Insert: "THEIR EMPLOYERS"

3. Page 3, lines 3 and 4.

Strike: line 3 in its entirety through "19-3-902" on line 4

Insert: "who has at least 25 years of eligible service in the public employees' retirement system but not more than 30 years of eligible service"

And, as amended, do pass. Report adopted.

HB 955, introduced bill, be amended as follows:

1. Page 1, line 3.

Insert: "BY REQUEST OF THE SECRETARY OF STATE"

2. Title, line 5.

Strike: "STATEWIDE"

3. Page 1, line 10.

Strike: "political"

Insert: "campaign"

4. Page 1, line 21.

Strike: "and may not solicit"

5. Page 2, line 1.

Strike: "within 10 days after"

Insert: "with the secretary of state on"

6. Page 2, line 3.

Following: "election."

February 22, 1991

Insert: "Immediately after receiving an affidavit filed pursuant to this section, the secretary of state shall forward a copy of the affidavit to the commissioner."

7. Page 2, line 4.

Strike: "Political"

Insert: "Voluntary campaign"

8. Page 2, line 5.

Following: "."

Insert: "(1)"

9. Page 2, lines 8 and 9.

Strike: "(1)" on line 8

Insert: "(a)"

Following: "senator" on line 8

Strike: ", United States" through "representative," on line 9

Re-number: subsequent subsections

10. Page 2.

Following: line 10

Insert: "(b) for United States representative, \$500,000 for the election cycle;"

Re-number: subsequent subsections

11. Page 2.

Following: line 20

Insert: "(2) Beginning on July 1, 1993, and on July 1 of each odd-numbered year, the commissioner shall increase the dollar amounts contained in subsections (1)(a) through (1)(g) by the amount equal to the aggregate percentage increase in the previous 2 calendar years' consumer price index for all urban consumers from the U.S. department of labor, bureau of statistics, or any other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor of that index. The new amounts must be rounded up to the nearest \$100, and the commissioner shall adopt new amounts by rule."

12. Page 2, line 23.

Strike: "political"

Insert: "voluntary campaign"

13. Page 4, line 16.

Strike: "campaign"

Insert: "political"

14. Page 4, line 17.

Following: the second "the"

Insert: "results of an"

15. Page 4, lines 18 and 19.

Strike: "Failure" on line 18 through "office" on line 19

Insert: "A certificate of election may not be granted to a candidate who fails to pay a fine assessed under this section"

16. Page 4, line 23.

Strike: "funds spent"

Insert: "payments made"

Following: "by"

Strike: "the"

Insert: "a"

17. Page 5, line 1.

Strike: "funds spent for"

18. Page 5, line 7.

Strike: "secretary of state"

Insert: "commissioner"

19. Page 5, line 10.

Following: "exceeded"

Strike: remainder of line 10

Insert: "his voluntary expenditure limitation, the commissioner"

20. Page 5, line 11.

Following: "notify"

Insert: "the secretary of state. Upon notification from the commissioner, the secretary of state shall notify"

21. Page 5, line 18.

Strike: "secretary of state"

Insert: "commissioner"

22. Page 6, line 25 and page 7, line 1.

Strike: "and county elected" on page 6, line 25 through "official" on page 7, line 1

And, as amended, do pass. Report adopted.

HB 957, introduced bill, do pass and be placed on the consent calendar. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 969, introduced by Stickney, B. Brown, Blaylock, Van Valkenburg, Pipinich, Cocchiarella, Brooke, Davis, Rea, Anderson, Fritz, Peck, Barnhart, Jacobson, Daily, Squires, Pavlovich, Gilbert, Cody, Menahan, Scott, J. Rice, Thomas, Gage, Barnett, Keating, McCarthy, Halligan, Harrington, Bradley, Wanzenried, T. Nelson, Nisbet, Messmore, Spring, Weeding, Driscoll, Hansen, Towe, Eck, Waterman, J. Johnson, Kimberley, Larson, Yellowtail, Bianchi, Jergeson, Doherty, Wallin, Darko, Southworth, J. Brown, Kadas,

Raney, Harding, Toole, Rye, Lynch, Franklin, Russell, Cohen, Connelly, Becker, Harper, Ream, referred to Committee on Appropriations

MOTIONS

Representative Driscoll moved to suspend all applicable rules to allow consideration of all bills reported out of Committee on second and third reading through the 45th legislative day. Motion carried.

Representative Pavlovich moved HB 350 be taken from the Committee on Business and Economic Development and be printed and placed on second reading. Motion failed.

Representative Connelly moved HB 716 be taken from the table from the Committee on Local Government and be printed and placed on second reading. Motion failed.

Representative Bachini moved HB 466 be taken from the table from the Committee on Judiciary and be printed and placed on second reading. Motion failed.

Representative Whalen moved HB 851 be taken from the Committee on Judiciary and be printed and placed on second reading. Motion failed.

Representative Simpkins moved HB 540 be taken from the table from the Committee on Education and Cultural Resources and be printed and placed on second reading. Motion failed.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - Representative Bardanouve moved HB 3 do pass.

Representative Bardanouve made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Bardanouve moved HB 3, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 8.
Strike: "2,215,874"
Insert: "1,275,482"

2. Page 3, line 10.
Strike: "2,174,740"

Insert: "4,115,132"

3. Page 3, line 12.

Following: "1991"

Strike: "150,000"

Insert: "49,995"

4. Page 3

Following: line 12

Insert: "1991

100,005

Federal Special"

5. Page 4, line 8.

Strike: "2,339,886"

Insert: "1,339,886"

6. Page 7, line 15.

Strike: "28,052,840"

Insert: "27,012,443"

7. Page 7, line 17.

Strike: "37,587,158"

Insert: "38,627,555"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, D. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, Driscoll, Elliott, Ellis, Feland, Forrester, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Menahan, Mercer, L. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Scott, Simpkins, Stang, Stepler, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 56

Noes: R. DeBruycker.

Total 1

Excused: Barnhart, Becker, Boharski, Brooke, J. Brown, Cohen, Cromley, Dolezal, Dowell, Ellison, Fagg, Foster, Galvin, Gilbert, S. J. Hansen, Hoffman, R. Johnson, Kasten, Knox, Lee, Measure, Messmore, T. Nelson, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen.

Total 39

Absent or not voting: Bradley, Harrington, Kadas, McCulloch.

Total 4

Representative Cobb moved HB 3, second reading copy, be further amended as follows (amendment #2):

1. Page 5, line 21.

Strike: "3,599,161"

Insert: "2,999,161"

Following: line 21

Insert: "600,000 Federal Special"

Adjust totals accordingly

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, D. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Feland, Forrester, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Simpkins, Stang, Steppler, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: None.

Total 0

Excused: Barnhart, Becker, Boharski, Brooke, J. Brown, Cohen, Cromley, Dolezal, Dowell, Ellison, Fagg, Foster, Galvin, Gilbert, S. J. Hansen, Hoffman, R. Johnson, Kasten, Knox, Lee, Measure, Messmore, T. Nelson, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen.

Total 38

Absent or not voting: Bradley, Harrington, Kadas, Scott.

Total 4

Representative Bardanouve moved HB 3, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Boharski, Cobb, Cohen, Connelly, R. DeBruycker, Foster, Grinde, Hoffman, Kasten, Lee, Peck, Phillips, Simpkins, Swysgood, Thoft.

Total 15

Voted Absentee: Barnhart, Brooke, J. Brown, Dolezal, Dowell, Ellison, Fagg, Galvin, Gilbert, S. J. Hansen, Knox, Measure, T. Nelson, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Spring, Squires, Stickney, Strizich, Toole,

Tunby, Wanzenried, Whalen, Ayes; Boharski, Cohen, Foster, Hoffman, Kasten, Lee, Noes.

Excused: Becker, Cromley, R. Johnson, Messmore, Southworth.

Total 5

Absent or not voting: Harrington, Scott.

Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (47-10)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 3 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Bachini, Barnett, Cobb, Cohen, Connelly, J. DeBruycker, R. DeBruycker, Grinde, Peck, Phillips, Simpkins, Swysgood, Thoft.

Total 13

Voted Absentee: Barnhart, Brooke, J. Brown, Dolezal, Dowell, Galvin, S. J. Hansen, Measure, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Ayes; Cohen, No.

Excused: Becker, Boharski, Cromley, Ellison, Fagg, Foster, Gilbert, Hoffman, R. Johnson, Kasten, Knox, Lee, Messmore, T. Nelson, Southworth, Spring, Tunby.

Total 17

Absent or not voting: Harrington.

Total 1

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/22/91

HB 690, introduced bill, be amended as follows:

1. Title, line 8.

Following: "ACCEPTED"

Insert: "AGRICULTURAL AND"

2. Page 1, line 24.

Following: "serious"

Insert: "illness or"

3. Page 3, line 1.

Following: "accepted"

Insert: "agricultural and"

And, as amended, do pass. Report adopted.

HB 719, introduced bill, be amended as follows:

1. Page 2, line 9.

Strike: "A"

Insert: "Except as provided in subsection (2), a"

2. Page 2, line 25.

Following: line 24

Insert: "(2) Nothing in this section prevents a health care insurer from requesting other medical review of a patient's condition or treatment."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 854, introduced bill, be amended as follows:

1. Page 7, line 23.

Strike: "monthly"

Insert: "quarterly"

2. Page 8, line 1.

Strike: "monthly"

Insert: "quarterly"

3. Page 8, line 4.

Strike: "the"

Insert: "each"

Following: "month"

Insert: "of the quarter"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 707, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND REPEALING SECTION 7-13-2511, MCA"

2. Page 1, line 20.

Following: line 19

Insert: "NEW SECTION. Section 2. Repealer. Section 7-13-2511, MCA, is repealed."

And, as amended, do not pass.

JUDICIARY (Strizich, Chairman):

2/22/91

HB 821, introduced bill, be amended as follows:

1. Title, line 4.

Following: "AN ACT TO"

Insert: "PARTIALLY"

2. Page 4, line 16.

Strike: ":"

Insert: ";

3. Page 4.

Following: line 16

Insert: "(15) for an operating or proposed mine, mill, or smelter, land needed for compliance with state and federal laws or regulations promulgated for the protection of the environment if the land on which the mine, mill, or smelter is situated has no suitable location that can be used for such compliance."

And, as amended, do pass. Report adopted.

HB 915, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 920, introduced bill, do pass. Report adopted.

HB 922, introduced bill, do pass. Report adopted.

HB 942, introduced bill, do pass. Report adopted.

2/21/91

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 2/22/91

HB 726, introduced bill, be amended as follows:

1. Title, page 1, lines 14 and 15.

Strike: "TO REVISE" on line 14 through "BENEFITS;" on line 15

2. Title, page 1, line 24 through page 2, line 1.

Strike: "TO" on line 24 through "MISCONDUCT;" on line 1

3. Title, page 2, line 8.

Following: "39-51-2302,"

Strike: "39-51-2303, 39-51-2509, 39-51-2510,"

4. Page 10, line 3.

Following: "(2), (3)"

Insert: "(2), (3),"

5. Page 27, line 7.

Following: "taxes"

Insert: ", penalties, and interest"

6. Page 36, line 9 through page 37, line 24.

Strike: sections 19 and 20 in their entirety

Renumber: subsequent sections

7. Page 39, line 9.

Following: "~~December 31~~"

Strike: "November 30"

Insert: "October 31"

8. Page 53, line 6.

Following: "him"

Insert: ", "

9. Page 53, line 10.

Following: "~~due~~."

Insert: "the department may assess"

Following: "penalty"

Strike: "equivalent to 33%"

Insert: "not to exceed 100%"

10. Page 54, line 19.

Following: "received"

Insert: ", "

Following: "~~year~~,"

Insert: "the department may assess"

Following: "penalty"

Strike: "equivalent to 33%"

Insert: "not to exceed 100%"

11. Page 56, line 20 through page 57, line 10.

Strike: section 33 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/22/91

HB 233, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PURCHASE OF"

Strike: "RAILROAD RIGHT-OF-WAY"

Insert: "LEASED"

2. Title, lines 6 through 9.

Following: the first "LAND"

Strike: the rest of line 6 through "RIGHT" on line 9

Insert: "WITHIN 300 FEET OF A RAILROAD RIGHT-OF-WAY"

3. Title, line 9.

Strike: "AND"

4. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

5. Page 1, line 12 through page 2, line 4.

Strike: the STATEMENT OF INTENT in its entirety

6. Page 2, line 8.

Strike: "through 3"

Insert: "and 2"

7. Page 2, lines 9 and 10.

Strike: subsection (1) in its entirety

Re-number: subsequent subsections

8. Page 2, line 14.

Following: "the"

Strike: "total"

9. Page 2, lines 14 and 15.

Following: "land" on page 14

Strike: "minus" through "improvements," on line 15

10. Page 2, line 16.

Following: "by"

Strike: "independent appraisers"

Insert: "a certified appraisal under [section 2]"

11. Page 2, line 18.

Following: "land"

Strike: "within"

Insert: "adjacent to"

12. Page 2, line 19.

Following: "owns"

Strike: "improvements"

Insert: "buildings"

13. Page 2, line 20.

Following: "of"

Strike: "\$15,000"

Insert: "\$5,000"

14. Page 2, line 21 through page 3, line 2.

Strike subsections (4) and (5) in their entirety

Re-number: subsequent subsection

15. Page 3, line 3 through line 5.

Following: "land"

Strike: "owned by"

Insert: "upon which"

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Following: "railroad"

Strike: "that" through "tracks" on line 5

Insert: "has or has had tracks"

16. Page 3, line 7 through line 24.

Following: "(1)"

Strike: the rest of line 7 through line 24 in their entirety

Insert: "A person or entity that has a leasehold site between a point 8.5 feet from the centerline of the track nearest the edge of the right-of-way and 300 feet of the track centerline and that uses the leasehold for transportation, regardless of the status of train operations, has a right of first refusal to purchase the land in the event the owner seeks to sell the land or transfer the leasehold estate.

(2) The owner of the land may not sell or offer for sale an interest in the leased land or dispossess the leaseholder for reasons other than nonpayment of the lease unless he first extends to the leaseholder a written offer to sell the leased land to the leaseholder at fair market value. The leaseholder shall respond to the offer within 60 days of receipt of the offer.

(3) The owner shall negotiate in good faith with the leaseholder for a period not to exceed 90 days following the leaseholder's response to the written offer provided for in subsection (2). The land may not be sold or transferred during the response and negotiation periods.

(4)(a) If the owner and the leaseholder cannot agree on the fair market value of the land, they shall appoint a certified appraiser to establish the fair market value of the land.

(b) In the event that the owner and leaseholder cannot agree on an appraiser, each shall appoint a certified appraiser who shall make an independent appraisal. If the appraisals are within 5% of each other, the average of the two appraisals must constitute the fair market value.

(c) If the two appraisals differ by more than 5%, the two appraisers must appoint a third certified appraiser whose appraisal must establish the fair market value of the land.

(d) If the leaseholder fails to close the purchase of the leasehold estate for any reason within 45 days after the fair market value of the land has been established by the appraisal process provided for in this section, the right of first refusal is extinguished and the owner is free to transfer the property to a person or entity other than the leaseholder.

(e) The owner may transfer a title under this section by quitclaim deed rather than warranty deed."

Renumber: subsequent subsection

17. Page 4, lines 3 through 16.

Strike: Section 3 in its entirety

Renumber: subsequent sections

18. Page 4, line 25.

Strike: "through 3"

Insert: "and 2"

19. Page 5, line 5 and 7.

Strike: "through 3"

Insert: "and 2"

20. Page 5.

Following line 7

Insert: "NEW SECTION. Section 5. Coordination instruction. If [this act] is passed and approved and House Bill No. 924 fails to be passed and approved, then this bill is void.

NEW SECTION. Section 6. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 637, introduced bill, be amended as follows:

1. Page 1, line 18.

Following: line 17

Insert:

"STATEMENT OF INTENT

A statement of intent is required for this bill to provide direction to the department of agriculture for enforcement of the requirements of [section 1] relating to notification of pesticide applications. Pursuant to the provisions of 80-8-306(3), if the department receives a complaint that a person other than a licensed applicator has failed to comply with the notification requirements of [section 1] and the complaint constitutes the person's first alleged violation of [section 1], the department shall contact the person by telephone to discuss the complaint and to inform the person of the requirements of [section 1]. If the department receives a second complaint that a person has failed to comply with [section 1], the department shall investigate the complaint consistent with the department's existing procedures for responding to alleged violations of Title 80, chapter 8."

2. Page 1, line 21.

Following: "pesticide"

Insert: "to control weeds or insects or applying a pesticide"

3. Page 1, line 25.

Strike: "(3)"

Insert: "(5)"

4. Page 2, line 1.

Following: "(2)"

Strike: "For a period beginning 48 hours prior to and"

Insert: "At the time of each application of a pesticide and for a period"

5. Page 2, line 2.

Following: "after"

Strike: "each"

Insert: "the"

6. Page 2, line 15.

Following: "application;"

Insert: "and"

7. Page 2, line 18.

Strike: line 18 in its entirety

8. Page 2, line 23.

Following: line 22

Insert: "(3) Commercial applicators may use their existing signs and sign materials in lieu of the requirements of subsection (2)(a) and (2)(b) until June 30, 1993. Thereafter, commercial applicators' signs must comply with the requirements of subsection (2).

(4) In lieu of the notification required by subsection (2), a unit of the state, federal, or local government, including a weed management district, mosquito control district, or other public entity, that applies or causes to be applied a pesticide over any portion of the land area within its jurisdiction that lies within the boundaries of an incorporated city or town may provide public notice on the day of the intended application or within 72 hours before the intended application. The public notice must include:

(a) a general description of the area where the pesticide will be applied;

(b) the common or trade name and the chemical name of the pesticide to be applied;

(c) the date of the pesticide application; and

(d) the name of the unit of government or other public entity responsible for the pesticide application and the name and telephone number of a person who may be contacted by interested citizens."

Renumber: subsequent subsections

9. Page 3, line 5.

Following: "pesticides"

Insert: ";

(c) applications of pesticides on an emergency basis for purposes of self-defense from insect attack"

And, as amended, do pass. Report adopted.

HB 924, introduced bill, be amended as follows:

1. Title, lines 6 through 8.

Strike: "PROVIDING" on line 6 through "RAILBED" on line 8

Insert: "REQUIRING THE DEPARTMENT OF COMMERCE TO ASSIST PERSONS REPRESENTING RECREATIONAL, TRANSPORTATION, AND UTILITY INTERESTS IN ACQUIRING OWNERSHIP OR EASEMENT OF ABANDONED RAILBEDS"

2. Page 1.

Following: line 20

Insert:

"STATEMENT OF INTENT

It is the policy of the state of Montana to preserve the integrity of abandoned or vacant railroad corridors for the purpose of recreational, transportation, and utility corridors. Accordingly, the state and the department of commerce should make every effort to preserve these corridors intact for future uses.

To further this policy and to alert the public of the potential availability of abandoned railbeds, the department shall identify and maintain a list of persons representing recreational, transportation, and utility interests throughout the state who have a potential interest or stake in abandoned railroad corridors. Upon receiving notification from the interstate commerce commission of an impending abandonment proceeding for a railbed in the state, the department shall, pursuant to 60-11-111(2)(d), notify each of the persons on the list. Upon receiving a request from an interested person representing a recreational, transportation, or utility interest, the department shall arrange for and facilitate discussions between the person and the railroad. The department shall assist with these discussions for no longer than 30 days, and the railroad, under these circumstances, shall respond to any proposal set forth by an interested person or the department."

3. Page 1, line 24.

Following: "section"

Strike: "3"

Insert: "2"

4. Page 1, line 25 through page 2, line 9.

Strike: subsections (1) through (3) in its entirety

Renumber: subsequent subsections

5. Page 2, line 13.

Following: line 12

Insert: "(2) "Recreational interest" means a local government or a not-for-profit corporation that has as its stated purpose the development, use, or maintenance of public recreational trails."

6. Page 2, lines 13 through 15.

Strike: subsection (5) in its entirety

7. Page 3, line 8.

Strike: "and"

8. Page 3, line 18.

Following: "(2)(c)"

Strike: "."

Insert: "; and"

9. Page 3, lines 19 through 21.

Strike: subsection (3) in its entirety

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Insert: "(d) shall cooperate with and assist persons representing recreational, transportation, and utility interests in acquiring ownership or easement of abandoned railbeds."

10. Page 3, line 22.

Strike: "(4)"

Insert: "(3)"

11. Page 4, lines 2 through 23.

Strike: section 3 in its entirety

12. Page 4.

Following: line 23

Insert: "NEW SECTION. Section 3. Coordination instruction. If [this act] is passed and approved and House Bill No. 233 fails to be passed and approved, then this bill is void."

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 970, introduced by Cocchiarella, Brooke, O'Keefe, Guilici, Stang, Harrington, Driscoll, Larson, Foster, Hoffman, Grady, Thomas, Gilbert, Daily, Kilpatrick, Squires, Benedict, Pavlovich, T. Nelson, Ream, Halligan, Kimberley, referred to Committee on Taxation

MOTIONS

Representative Driscoll moved HB 760 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 899 be changed to reflect Representative Cocchiarella as chief sponsor. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsor was removed from HB 767: Lee.

The following sponsor was removed from HB 768: Lee.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, February 23, 1991. Motion carried.

House adjourned at 3:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 23, 1991

House Chambers
State Capitol

House convened at 8:05 a.m. Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Schye, Scott, Whalen, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-seventh and thirty-eighth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):

2/22/91

HB 770, introduced bill, be amended as follows:

1. Statement of intent, page 1, line 25.

Following: ", "

Insert: "establishing supporting documentation for persons currently engaged in auctioneering,"

2. Page 2, line 1.

Strike: "13"

Insert: "14"

3. Page 2, line 7.

Page 2, line 18

Page 4, line 1

Page 12, line 18

Page 12, line 21

Strike: "17"

Insert: "18"

4. Page 4, line 19.

Following: "year"

Insert: "; and

(9) adopt supporting documentation requirements for persons currently engaged in auctioneering"

5. Page 5, line 1.

Strike: "14"

Insert: "15"

6. Page 5, line 20.

Strike: "12"

Insert: "13"

7. Page 7.

Following: line 24

Insert: "NEW SECTION. Section 12. Exemption. A person is exempt from the requirements of [sections 8 and 9(2)(a), (2)(b), and (2)(d)] if the person files supporting documentation, as required by the board by rule."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 888, introduced bill, be amended as follows:

1. Title, line 10.

Strike: "EMPLOYEES"

Insert: "THE EXECUTIVE DIRECTOR"

2. Title, lines 13 and 14.

Strike: "DELETING" on line 13 through ";" on line 14

3. Title, line 17.

Strike: "80-11-206,"

4. Page 5, lines 19 and 20.

Strike: "employees" on line 19 through "to" on line 20

Insert: "executive director of"

5. Page 9, line 9 through page 10, line 15.

Strike: section 6 in its entirety

Renumber: subsequent sections

6. Page 10, line 19.

Following: ":-"

Insert: "(1) The committee shall set the amount of the assessment each year in accordance with 80-11-206."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 893, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HJR 41, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

2/22/91

HB 703, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "UP TO \$2"

Insert: "NOT MORE THAN \$1"

2. Title, line 10.

Strike: "90-3-501, 90-3-502, 90-3-503, 90-3-504,"

3. Page 4, line 24 through page 9, line 22

Strike: sections 2 through 5 in their entirety
Renumber: subsequent sections

4. Page 10, line 2.

Strike: "┐"

Following: "or"

Insert: "or"

Strike: ", or investment business"

5. Page 10, line 8.

Following: "financing;"

Insert: ", "

Strike: "or"

Following: "marketing;"

Insert: ", "

6. Page 11, line 1.

Strike: "subsection (3)"

Insert: "[section 5]"

7. Page 11, lines 3 and 4.

Strike: "┐

(a)"

8. Page 11, line 6.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

9. Page 11, line 24.

Strike: "(b)"

Insert: "(2) (a) In addition to the provisions in 90-3-522 and subsection (1) of this section, a seed capital project loan agreement"

10. Page 12, line 4.

Strike: "(2)"

Insert: "(b)"

11. Page 12, line 7.

Strike: "(3)"

Insert: "NEW SECTION. Section 4. Venture capital companies. The board may make up to \$2 million of its funds available under 17-6-308 for seed capital project loans to venture capital companies in order to further the development of seed capital resources available for investment in technology-oriented business development and expansion activities if the venture capital companies meet the criteria in subsections (1) and (2):

(1) Venture capital companies must be selected for loans by the board on the basis of the demonstrated ability of the companies' principals to make sound investments and the principals' business development experience.

(2) The company has raised or is in the process of raising its investment capital under the terms of a prospectus or other

offering document that gives the board assurance that the company:

(a) is in compliance with the United States securities and exchange commission and Montana securities laws and regulations applicable to venture capital companies;

(b) will use equity or quasi-equity investment mechanisms for at least three-fourths of its investments and will not use conventional secured debt mechanisms for more than one-fourth of its investments;

(c) will otherwise conduct its investment strategy and investment management practices in a manner that conforms to standard venture capital industry practices; and

(d) has a management team that will dedicate the equivalent of at least one full-time manager to the operation of the company.

(3) The board may adopt rules governing loans to venture capital companies to implement the terms of this section and to ensure that the loans meet the requirements of 90-3-501 through 90-3-504.

NEW SECTION. Section 5. Seed capital project loan agreement with venture capital company."

Renumber: subsequent section

12. Page 12, line 9.

Strike: "(a)"

Insert: "(1)"

Renumber: subsequent subsection

Strike: "\$1 million"

Insert: "\$500,000"

13. Page 12, line 10.

Strike: "\$2"

Insert: "\$1"

14. Page 12, line 12.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

2/23/91

HB 116, introduced bill, do pass. Report adopted.

HB 754, introduced bill, do pass. Report adopted.

HB 800, introduced bill, do pass. Report adopted.

HB 817, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 849, introduced bill, do pass. Report adopted.

HB 962, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "previous"

Insert: "school"

2. Page 2, line 1

Following: page 1, line 25

Strike: "current"

Insert: "previous school"

3. Page 2, line 25.

Following: "previous"

Insert: "school"

4. Page 3, line 5.

Following: "district"

Insert: "for the previous school fiscal year"

And, as amended, do pass. Report adopted.

HJR 26, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman): 2/23/91

HB 831, introduced bill, do pass. Report adopted.

HB 862, introduced bill, do pass. Report adopted.

HB 876, introduced bill, do pass. Report adopted.

HB 881, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HB 930, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HJR 40, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

JUDICIARY (Strizich, Chairman): 2/22/91

HB 735, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Strike: "INSURANCE POLICY THAT PROVIDES COVERAGE"

Insert: "INSURER TO REIMBURSE AN INSURED OR THIRD-PARTY
CLAIMANT"

2. Title, lines 6 and 7.

Strike: "TO CONTAIN A PROVISION REQUIRING PAYMENT OF CLAIMS"

3. Title, line 8

Following: "CLEAR;"

Insert: "AMENDING SECTIONS 33-18-201 AND 33-18-242, MCA;"

Strike: "APPLICABILITY"

Insert: "IMMEDIATE EFFECTIVE"

4. Page 1, line 11, through page 2, line 1.

Strike: sections 1 through 3 in their entirety

Insert: "Section 1. Section 33-18-201, MCA, is amended to read:

"33-18-201. Unfair claim settlement practices prohibited. No person may, with such frequency as to indicate a general business practice, do any of the following:

(1) misrepresent pertinent facts or insurance policy provisions relating to coverages at issue;

(2) fail to acknowledge and act reasonably promptly upon communications with respect to claims arising under insurance policies;

(3) fail to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies;

(4) refuse to pay claims without conducting a reasonable investigation based upon all available information;

(5) fail to affirm or deny coverage of claims within a reasonable time after proof of loss statements have been completed;

(6) neglect to attempt in good faith to effectuate prompt, fair, and equitable settlements of claims in which liability has become reasonably clear;

(7) compel insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by such insureds;

(8) attempt to settle a claim for less than the amount to which a reasonable man would have believed he was entitled by reference to written or printed advertising material accompanying or made part of an application;

(9) attempt to settle claims on the basis of an application which was altered without notice to or knowledge or consent of the insured;

(10) make claims payments to insureds or beneficiaries not accompanied by statements setting forth the coverage under which the payments are being made;

(11) make known to insureds or claimants a policy of appealing from arbitration awards in favor of insureds or claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration;

(12) delay the investigation or payment of claims by requiring an insured, claimant, or physician of either to submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information;

(13) fail to promptly settle claims, if liability has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage; or

(14) fail to promptly provide a reasonable explanation of the basis in the insurance policy in relation to the facts or applicable law for denial of a claim or for the offer of a compromise settlement; or

(15) fail to promptly pay medical expenses, loss of earnings, or property damage when liability is reasonably clear."

Section 2. Section 33-18-242, MCA, is amended to read:

"33-18-242. Independent cause of action -- burden of proof. (1) An insured or a third-party claimant has an independent cause of action against an insurer for actual damages caused by the insurer's violation of subsection (1), (4), (5), (6), (9), ~~or~~ (13), or (15) of 33-18-201.

(2) In an action under this section, a plaintiff is not required to prove that the violations were of such frequency as to indicate a general business practice.

(3) An insured who has suffered damages as a result of the handling of an insurance claim may bring an action against the insurer for breach of the insurance contract, for fraud, or pursuant to this section, but not under any other theory or cause of action. An insured may not bring an action for bad faith in connection with the handling of an insurance claim.

(4) In an action under this section, the court or jury may award such damages as were proximately caused by the violation of subsection (1), (4), (5), (6), (9), ~~or~~ (13), or (15) of 33-18-201. Exemplary damages may also be assessed in accordance with 27-1-221.

(5) An insurer may not be held liable under this section if the insurer had a reasonable basis in law or in fact for contesting the claim or the amount of the claim, whichever is in issue.

(6) (a) An insured may file an action under this section, together with any other cause of action the insured has against the insurer. Actions may be bifurcated for trial where justice so requires.

(b) A third-party claimant may not file an action under this section until after the underlying claim has been settled or a judgment entered in favor of the claimant on the underlying claim.

(7) The period prescribed for commencement of an action under this section is:

(a) for an insured, within 2 years from the date of the violation of 33-18-201; and

(b) for a third-party claimant, within 1 year from the date of the settlement of or the entry of judgment on the underlying claim.

(8) As used in this section, an insurer includes a person, firm, or corporation utilizing self-insurance to pay claims made against them."

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 912, introduced bill, be amended as follows:

1. Title, lines 4 through 10.

Strike: "INCREASING" on line 4 through "61-6-138" on line 10

Insert: "REQUIRING MOTOR VEHICLE LIABILITY INSURANCE POLICIES TO INSURE AGAINST UNDERINSURED DRIVERS; ALLOWING AN INSURED TO REJECT SUCH INSURANCE; AND AMENDING SECTION 33-23-201"

2. Page 1, line 14, through page 7, line 24.

Strike: sections 1 through 3 in their entirety

Insert: "Section 1. Section 33-23-201, MCA, is amended to read:

"33-23-201. Motor vehicle liability policies to include uninsured and underinsured motorist coverage -- rejection by insured. (1) No motor vehicle liability policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle may be delivered or issued for delivery in this state, with respect to any motor vehicle registered and principally garaged in this state, unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set forth in 61-6-103, under provisions filed with and approved by the commissioner, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured and underinsured motor vehicles because of bodily injury, sickness, or disease, including death, resulting therefrom, caused by an accident arising out of the operation or use of such vehicle. An uninsured or underinsured motor vehicle is a land motor vehicle, the ownership, the maintenance, or the use of which is not insured or bonded or is underinsured and insufficiently bonded for bodily injury liability at the time of the accident.

(2) The named insured shall have the right to reject ~~such~~ either uninsured or underinsured coverage, or both. Unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured had rejected the coverage in connection with the policy previously issued to him by the same insurer."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

2/23/91

HB 858, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HB 926, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

HJR 36, introduced bill, do pass and be placed on the consent calendar.
Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/22/91

SB 171, introduced by Svrcek

SB 206, introduced by Halligan

SB 214, introduced by Towe

SB 219, introduced by Bianchi

SB 255, introduced by Vaughn

SB 270, introduced by Williams

SB 280, introduced by B. Brown

SB 291, introduced by Rye
SB 297, introduced by Noble
SB 299, introduced by Halligan
SB 308, introduced by Eck
SB 311, introduced by Weeding
SB 319, introduced by Grosfield
SB 320, introduced by Fritz
SB 327, introduced by Noble
SB 329, introduced by Pipinich
SB 330, introduced by Manning
SB 336, introduced by Pipinich
SB 343, introduced by Rye
SB 348, introduced by Eck
SB 350, introduced by Svrccek
SB 358, introduced by T. Beck
SB 364, introduced by Vaughn
SB 366, introduced by Franklin
SB 367, introduced by Crippen
SB 375, introduced by B. Brown
SB 389, introduced by Van Valkenburg
SB 390, introduced by Van Valkenburg
SB 399, introduced by Svrccek
SB 422, introduced by Vaughn
SB 440, introduced by Bengtson
SB 444, introduced by Pinsoneault
SJR 16, introduced by Doherty
SJR 17, introduced by Blaylock
SJR 18, introduced by Lynch

SPECIAL ORDERS OF THE DAY

Upon objection of Representatives D. Brown, Driscoll, and Harrington, HB 573 was removed from the consent calendar and placed on second reading.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/23/91
Correctly printed: HB 124, HB 144, HB 233, HB 355, HB 535, HB 588, HB 597, HB 604, HB 637, HB 644, HB 653, HB 671, HB 675, HB 690, HB 698, HB 712, HB 719, HB 726, HB 727, HB 729, HB 767, HB 768, HB 773, HB 774, HB 782, HB 804, HB 807, HB 821, HB 825, HB 836, HB 837, HB 839, HB 847, HB 853, HB 854, HB 875, HB 882, HB 899, HB 920, HB 922, HB 924, HB 936, HB 942, HB 955, HJR 37.
Correctly engrossed: HB 638, HB 646, HB 659, HB 706, HB 791, HB 812, HB 902, HB 915, HB 943, HB 957, HJR 34, HJR 38.
Signed by the Speaker at 8:00 a.m., 2/23/91: SB 56, SB 59.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 258 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Schye, Aye.

Excused: Menahan.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 274 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: Bardanouve.

Total 1

HB 275 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Gilbert, Whalen.
Total 3

Excused: Menahan, Schye.
Total 2

Absent or not voting: Bardanouve.
Total 1

HB 276 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Menahan, Schye.
Total 2

Absent or not voting: Bardanouve, Elliott.
Total 2

HB 309 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Madison, McCulloch, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Whalen, Mr. Speaker.

Total 62

Noes: Bachini, Benedict, Bergsagel, Boharski, Brooke, Clark, Cody, Cohen, J. DeBruycker, R. DeBruycker, Driscoll, Gilbert, H. S. Hanson, Hayne, Kadas, Lee, McCaffree, McCarthy, Measure, Mercer, L. Nelson, Peck, Phillips, J. Rice, Scott, Simpkins, Stang, Stepler, Swysgood, Thoft, Thomas, Wallin, Wanzenried, Wyatt, Zook.

Total 35

Voted Absentee: Schye, Aye.

Excused: Menahan.

Total 1

Absent or not voting: Bardanoue, Larson.

Total 2

HB 380 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Schye, Aye.

Excused: Menahan.

Total 1

Absent or not voting: None.
Total 0

HB 390 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, Measure, Messmore, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Thomas, Toole, Tunby, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Beck, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cody, Cromley, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Fagg, Feland, Forrester, Foster, Gould, H. S. Hanson, Harrington, Hayne, Hoffman, Kasten, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Stang, Steppler, Strizich, Swysgood, Thoft, Wallin, Wanzenried, Zook.
Total 45

Voted Absentee: Schye, Aye; Menahan, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 436 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Barnett, R. DeBruycker, Wallin.
Total 3

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.

Total 0

HB 439 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 462 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: R. DeBruycker, Keller, Measure.

Total 3

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.
Total 0

HB 465 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 487 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Brooke, Cohen, Cromley, R. DeBruycker, Fagg, Feland, Grinde, S. J. Hansen, Hoffman, Measure, Spring, Swysgood, Thoft, Wallin.
Total 14

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 507 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 545 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck, Swysgood.

Total 2

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 555 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Measure, Scott.
Total 2

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 556 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bergsagel, Feland, H. S. Hanson, Kasten, Peterson, Phillips, Spring, Stang.
Total 8

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 567 (Alternative Consent Calendar) passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bachini, D. Brown, Driscoll, Harrington, McCaffree, Peck, Russell.

Total 7

Excused: Menahan, Schye.

Total 2

Absent or not voting: Bergsagel.

Total 1

HB 581 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cody, J. DeBruycker.

Total 2

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 587 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Ellison.
Total 1

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 589 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Barnett, Cobb, Cody, R. DeBruycker, Ellison, Feland, L. Nelson, Spring.
Total 8

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 594 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Barnhart, Brooke, Cody, Gervais, S. J. Hansen, Measure, Russell.

Total 7

Excused: Menahan, Schye.

Total 2

Absent or not voting: Cohen.

Total 1

HB 596 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Barnett, Boharski, R. DeBruycker, Ellis, Feland, H. S. Hanson, Kasten, Keller, Lee, Peterson, Spring, Wallin.

Total 12

Excused: Menahan, Schye.

Total 2

Absent or not voting: T. Nelson.

Total 1

HB 602 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 608 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thoft, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 67

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Feland, Foster, Gilbert, Grinde, H. S. Hanson, Hoffman, Kasten, Keller, McCaffree, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Spring, Stang, Steppler, Swysgood, Thomas, Tunby, Wallin, Zook.
Total 30

Excused: Menahan, Schye.
Total 2

Absent or not voting: Ellis.
Total 1

HB 625 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 654 (Alternative Consent Calendar) passed as follows:

Ayes: Bardanoue, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bachini, Barnett, Cody, Cohen, R. DeBruycker, Ellison, S. J. Hansen, J. Johnson, Measure, Peck, Phillips, Swysgood.

Total 12

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 674 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: S. J. Hansen.

Total 1

HB 682 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: J. Rice, Thomas.

Total 2

Excused: Menahan, Schye.

Total 2

Absent or not voting: Benedict.

Total 1

HB 683 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Boharski, J. DeBruycker, Scott.

Total 4

Excused: Menahan, Schye.

Total 2

Absent or not voting: Cocchiarella.

Total 1

HB 697 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, R. DeBruycker.

Total 2

Excused: Menahan, Schye.

Total 2

Absent or not voting: Ellis.

Total 1

HB 705 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, R. DeBruycker, Peterson, Spring.
Total 4

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 713 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Schye, Aye.

Excused: Menahan.
Total 1

Absent or not voting: Darko.
Total 1

HB 715 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: R. DeBruycker.

Total 1

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 722 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bergsagel, Cody, Cromley.

Total 3

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

February 23, 1991

HB 723 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: Benedict, Grinde.

Total 2

HB 725 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: Bergsagel, Hayne.

Total 2

HB 741 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Peck.

Total 1

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 756 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Schye, Aye.

Excused: Menahan.

Total 1

Absent or not voting: Ream.

Total 1

HB 763 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bergsagel, Cody, McCaffree.

Total 3

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HB 769 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Barnett, R. DeBruycker, Feland, Simpkins, Spring.

Total 5

Voted Absentee: Schye, Aye.

Excused: Menahan.

Total 1

Absent or not voting: None.

Total 0

HB 779 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 93

Noes: McCaffree, Peterson, Scott, Whalen, Wyatt.
Total 5

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HB 816 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cody, R. DeBruycker, Kasten, Spring, Wallin.
Total 5

Voted Absentee: Schye, Aye.

Excused: Menahan.
Total 1

Absent or not voting: Fagg.
Total 1

HB 829 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Brooke, Kadas, McCaffree.

Total 3

Voted Absentee: Schye, Aye.

Excused: Menahan.

Total 1

Absent or not voting: Keller.

Total 1

HB 864 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: J. DeBruycker, S. J. Hansen, McCaffree.

Total 3

Voted Absentee: Schye, Aye.

Excused: Menahan.

Total 1

Absent or not voting: None.

Total 0

HB 941 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: J. DeBruycker, Ellison, Kasten, McCaffree, Measure, Peck, Whalen.

Total 7

Excused: Menahan, Schye.

Total 2

Absent or not voting: R. DeBruycker.

Total 1

HJR 11 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, -Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Menahan, Schye.

Total 2

Absent or not voting: None.

Total 0

HJR 18 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Bardanouve, Barnett, Bergsagel, Cobb, Cody, R. DeBruycker, Elliott, Ellis, Ellison, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, L. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Tunby, Zook.
Total 25

Excused: Menahan, Schye.
Total 2

Absent or not voting: Boharski, Lee.
Total 2

HJR 21 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: R. DeBruycker, Grinde.
Total 2

Excused: Menahan, Schye.
Total 2

Absent or not voting: None.
Total 0

HJR 22 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bergsagel, R. DeBruycker, Simpkins.

Total 3

Excused: Schye.

Total 1

Absent or not voting: S. J. Hansen, Spring.

Total 2

HJR 27 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bardanouve, R. DeBruycker, O'Keefe.

Total 3

Voted Absentee: Schye, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 35 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 88

Noes: R. DeBruycker, M. Hanson, Knox, McCaffree, Peterson, Phillips, Spring, Swysgood, Thoft, Zook.

Total 10

Voted Absentee: Schye, Aye.

Excused: None.

Total 0

Absent or not voting: J. Rice, Toole.

Total 2

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Grinde in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 110 - Representative Gilbert moved HB 110 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: Boharski, Kasten, Lee.

Total 3

HB 144 - Representative Foster moved HB 144, second reading copy, be amended as follows (amendment #1):

1. Page 2, lines 19 and 20.

Following: "gasohol"

Strike: "for" on line 19 through "is" on line 20

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: H. S. Hanson, Whalen.

Total 2

Representative Foster moved HB 144, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,

Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.

Total 95

Noes: Phillips, Wyatt.

Total 2

Excused: Schye.

Total 1

Absent or not voting: Barnhart, Mr. Speaker.

Total 2

HB 169 - Representative Thoft moved HB 169 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Barnett, Benedict, Brooke, Clark, Cocchiarella, Elliott, Foster, Gilbert, Keller, Messmore, Thomas.

Total 11

Excused: Schye.

Total 1

Absent or not voting: Ellis.

Total 1

HB 233 - Representative Bardanoue moved HB 233 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Forrester.

Total 1

Excused: Schye.

Total 1

Absent or not voting: None.

Total 0

HB 924 - Representative Measure moved HB 924 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Barnett, Benedict, Clark, Cody, R. DeBruycker, Feland, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hoffman, Keller, McCaffree, L. Nelson, Spring, Steppler, Swysgood, Thomas, Zook.

Total 19

Excused: Schye.

Total 1

Absent or not voting: Ellis.

Total 1

HB 724 - Representative Elliott moved HB 724 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker,

Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, R. DeBruycker, Feland, H. S. Hanson.
Total 4

Excused: Schye.
Total 1

Absent or not voting: J. Rice.
Total 1

HB 260 - Representative O'Keefe moved consideration of HB 260 be placed below HB 548 on the second reading board. Motion carried.

HB 261 - Representative Kilpatrick moved HB 261 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 39

Excused: Schye.
Total 1

Absent or not voting: Mercer, S. Rice.
Total 2

HB 271 - Representative Driscoll moved HB 271 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Barnett, Bergsagel, Clark, Cody, Cromley, R. DeBruycker, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Knox, Peterson, Phillips, Spring, Stepler.

Total 22

Voted Absentee: Schye, Aye.

Excused: None.

Total 0

Absent or not voting: Ellison, Tunby, Wallin.

Total 3

HB 284 - Representative Foster moved HB 284 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Connelly, Cromley, Daily, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 72

Noes: Bachini, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Darko, Davis, J. DeBruycker, Driscoll, Forrester, Harrington, Kilpatrick, Kimberley, McCarthy, Measure, L. Nelson, Nisbet, Peck, Raney, Ream, Scott, Southworth, Stepler, Mr. Speaker.

Total 26

Excused: Schye.

Total 1

Absent or not voting: Menahan.

Total 1

HB 351 - Representative Cohen moved HB 351 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Becker, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Tunby, Wallin, Zook.
Total 40

Excused: Schye.
Total 1

Absent or not voting: Brooke, Connelly.
Total 2

HB 364 - Representative Grady moved consideration of HB 364 be passed for the day. Motion carried.

HB 417 - Representative Elliott moved HB 417 do pass.

Representative Whalen made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Whalen moved HB 417, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 14.

Following: "(4)"

Strike: "SUBSECTION (1) DOES"

Insert: "[Sections 1 through 3] do"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream,

J. Rice, S. Rice, Russell, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, R. DeBruycker, Spring.
Total 3

Excused: Schye.
Total 1

Absent or not voting: Benedict, D. Brown, Ellison, Kadas, Knox, Scott, Simpkins.
Total 7

Representative Elliott moved consideration of HB 417 be passed for the day.
Motion carried.

Representative Gilbert in the Chair at this time.

HB 451 - Representative Lee moved HB 451, second reading copy, be amended as follows (amendment #1):

1. Title, line 13.
Strike: "45-5-505,"

2. Page 11, line 21.
Following: "~~animal~~."
Insert: "(20) "Deviate sexual relations" means sexual contact or sexual intercourse between two persons of the same sex or any form of sexual intercourse with an animal."
Renumber: subsequent subsections

3. Page 36, line 19 through page 37, line 9.
Strike: section 13 in its entirety
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Beck, Benedict, Bergsagel, Clark, Cobb, Cody, Daily, R. DeBruycker, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, Madison, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Scott, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 52

Noes: Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, Hoffman, Kadas, Kilpatrick, Larson, McCaffree, McCarthy, McCulloch,

Measure, L. Nelson, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Mr. Speaker.
Total 44

Excused: Schye.
Total 1

Absent or not voting: Boharski, Feland, Menahan.
Total 3

Representative Toole moved consideration of HB 451 be passed for the day.

Representative Brooke made a substitute motion that consideration of HB 451 be placed below HB 570 on the second reading board for purpose of amendment. Motion carried.

HB 470 - Representative McCarthy moved HB 470 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 91

Noes: Clark, Cromley, Hoffman, Steppler, Zook.
Total 5

Voted Absentee: Schye, Aye.

Excused: None.
Total 0

Absent or not voting: Ellis, Gervais, Strizich, Toole.
Total 4

HB 665 - Representative Barnhart moved HB 665 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick,

Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Bergsagel, Cromley, J. DeBruycker, R. DeBruycker, Grinde, L. Nelson, Spring, Stepler, Thoft, Wanzenried.
Total 10

Excused: Schye.
Total 1

Absent or not voting: Grady, Toole.
Total 2

HB 495 - Representative Harper moved HB 495 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Schye.
Total 1

Absent or not voting: None.
Total 0

HB 504 - Representative Driscoll moved HB 504 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson,

Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cromley, R. DeBruycker, Kasten, Spring.

Total 4

Excused: Schye.

Total 1

Absent or not voting: None.

Total 0

HB 506 - Representative Cobb moved HB 506 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: D. Brown.

Total 1

HB 515 - Representative Lee moved HB 515 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: Cody.

Total 1

HB 538 - Representative D. Brown moved HB 538, second reading copy, be amended as follows (amendment #1):

1. Page 8, line 9.

Following: "DISPOSITION"

Insert: "-- relief"

2. Page 9, line 21.

Following: line 20

Insert: "(6) A person injured as a result of an act or practice that violates [section 4] may bring a civil action for appropriate relief, including an action for declaratory judgment, injunctive relief, and actual damages."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 89

Noes: J. DeBruycker, Gould, T. Nelson, Phillips.

Total 4

Excused: Schye.

Total 1

Absent or not voting: Boharski, Ellis, Feland, Grinde, Lee, Mr. Speaker.

Total 6

Representative Bradley moved HB 538, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 74

Noes: Bachini, Bergsagel, D. Brown, Cobb, Cromley, R. DeBruycker, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Knox, Messmore, Phillips, Stepler, Swysgood, Thoft, Thomas, Wyatt.

Total 25

Excused: Schye.

Total 1

Absent or not voting: None.

Total 0

HB 539 - Representative Daily moved consideration of HB 539 be placed below HB 548 on the second reading board. Motion carried.

HB 548 - Representative Brooke moved HB 548 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Lee, Madison, McCulloch, Measure, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 66

Noes: Bachini, Bardanouve, Bergsagel, Cody, J. DeBruycker, Feland, Forrester, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, Kasten, Knox, Larson, McCaffree, McCarthy, Menahan, L. Nelson,

T. Nelson, Peck, Peterson, Phillips, Spring, Stepler, Swysgood, Thoft, Wallin, Zook.

Total 31

Excused: Schye.

Total 1

Absent or not voting: Hayne, Scott.

Total 2

HB 539 - Representative Daily moved HB 539, second reading copy, be amended as follows (amendment #1):

1. Page 14, line 1.

Following: "CREDIT."

Strike: "AND"

2. Page 14, line 2.

Following: "SELF-INSURER"

Insert: ", or other demonstration of financial capability"

3. Page 15, line 21.

Following: "CREDIT."

Strike: "AND"

4. Page 15, line 21.

Following: "SELF-INSURER"

Insert: ", or other demonstration of financial capability"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Schye.

Total 1

Absent or not voting: Bardanouve, Barnhart, Boharski, R. DeBruycker, Feland, H. S. Hanson, Hayne, Lee.
Total 8

Representative Daily moved HB 539, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker.
Total 1

Excused: Schye.
Total 1

Absent or not voting: Kadas.
Total 1

HB 260 - Representative Barnhart moved HB 260 do pass.

Representative Boharski made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Boharski moved HB 260, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.

Following: "COVERAGE"

Strike: "A NEWBORN"

Insert: "AN"

2. Page 2, lines 6 and 7.

Following: "Coverage"

Strike: "FOR NEWBORN INFANTS AS PROVIDED IN 33-22-301 AND 33-22-504"

Insert: "at the time of placement"

3. Page 2, line 25 through line 1 on page 3.

Following: "Coverage"

Strike: "FOR NEWBORN INFANTS AS PROVIDED IN 33-30-1001"

Insert: "at the time of placement"

4. Page 3, lines 16 and 17.

Following: "Coverage"

Strike: "FOR NEWBORN INFANTS AS PROVIDED IN 33-31-102(1)(E)"

Insert: "at the time of placement"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cody, Cromley.

Total 2

Excused: Schye.

Total 1

Absent or not voting: Elliott, Kasten, Menahan, Phillips, Spring.

Total 5

Representative Barnhart moved HB 260, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cody, Feland, Gould, Kasten, Knox, T. Nelson, Simpkins, Stepler.

Total 8

Excused: Schye.

Total 1

Absent or not voting: L. Nelson.

Total 1

HB 549 - Representative Grady moved HB 549 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzonried, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bachini, Bardanouve, J. DeBruycker, Kasten, Measure, Peck, Whalen.

Total 7

Excused: Schye.

Total 1

Absent or not voting: D. Brown.

Total 1

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (91-5)

Representative Driscoll moved the House recess until 1:10 p.m. Motion carried.

House recessed at 12:10 p.m.

House reconvened at 1:10 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Strizich, Chairman):

2/23/91

HB 887, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "4"

Insert: "8"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman):
HB 641, introduced bill, be amended as follows:

2/23/91

1. Page 2, line 17.

Following: "surface of the"

Strike: "area of"

2. Page 2, line 18.

Following: line 17

Strike: "to be affected by"

Insert: "within"

Following: "permit"

Insert: "area"

3. Page 2, line 20.

Following: "the"

Strike: "affected"

Insert: "permit"

Following: "area"

Insert: ", provided that the department is not required to verify this information"

4. Page 2, line 23.

Following: "land"

Strike: "to be affected by"

Insert: "within"

Following: "permit"

Insert: "area"

5. Page 3, line 1.

Following: "the"

Strike: "affected"

Insert: "permit"

Following: "area"

Insert: ", provided that the department is not required to verify this information"

6. Page 3, line 3.

Following: "permit"

Insert: ", provided that the department is not required to verify this information"

And, as amended, do pass. Report adopted.

HB 838, introduced bill, be amended as follows:

1. Page 4, line 7.

Following: "plan;"

Strike: "and"

2. Page 4, line 8.

Following: "line"

Insert: "; and

(f) comply with the public policies under 75-10-102"

And, as amended, do pass. Report adopted.

HB 891, introduced bill, be amended as follows:

1. Page 3, line 2.

Strike: "50,000"

Insert: "35,000"

And, as amended, do pass. Report adopted.

HB 952, introduced bill, be amended as follows:

1. Page 6, lines 13 through 15.

Following: line 12

Strike: section 5 in its entirety

Renumber: subsequent sections

2. Page 6, line 16.

Following: "Applicability."

Insert: "(1)"

3. Page 6, lines 17 through 19.

Following: line 16

Strike: lines 17 through 19 in their entirety

Insert: "does not apply to:

(a) an area for which a contract was issued prior to [the effective date of this act] or for which an application for contract or contract amendment was filed with the department of state lands prior to February 23, 1991; or

(b) an area:

(i) that is contiguous to an area described in subsection (1)(a);

(ii) for which the holder of the contract has the legal right to mine on [the effective date of this act]; and

(iii) for which the contract holder files with the department on or before January 1, 1992, on a form provided by the department, a legal description of the area, evidence of the legal right to mine, and certification that the contract holder holds the property for the purpose of future sand or gravel mining.

(2) Before June 1, 1991, the department shall mail notice of the provisions and passage of [this act] and the form described in subsection (1)(b)(iii) to each person who holds a current contract on [the effective date of this act] or who had, prior to February 23, 1991, submitted an application for contract or contract amendment that the department had not approved or denied as of February 23, 1991.

(3) The department shall maintain a list of areas for which certifications have been filed pursuant to subsection (1)(b) and shall provide a copy of the list to any person who requests the list."

And, as amended, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 971, introduced by Cohen, referred to Committee on Taxation

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pavlovich in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 840 - Representative Grady moved HB 840 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Peck.
Total 1

HB 771 - Representative Foster moved HB 771 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

February 23, 1991

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Lee.

Total 1

HB 588 - Representative Davis moved HB 588 do pass. Motion carried as follows:

Ayes: Bachini, Beck, Benedict, Bergsagel, Bradley, J. Brown, Clark, Cocchiarella, Cody, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Bardanouve, Barnett, Barnhart, Becker, Boharski, Brooke, Cobb, Cohen, Connelly, Cromley, R. DeBruycker, Ellison, Gould, Kasten, McCaffree, Measure, Mercer, O'Keefe, Pavlovich, Peterson, Southworth, Swysgood, Thoft, Thomas.

Total 24

Excused: None.

Total 0

Absent or not voting: D. Brown, Driscoll, Grinde.

Total 3

HB 561 - Representative Stang moved HB 561 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Boharski, Bradley, J. Brown, Cocchiarella, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Ellis,

Fagg, Feland, Forrester, Galvin, Gervais, Grady, H. S. Hanson, Harrington, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Squires, Stang, Stepler, Stickney, Strizich, Tunby, Wallin, Zook.

Total 56

Noes: Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, Clark, Cobb, Cody, Cohen, Connelly, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellison, Foster, Gilbert, Gould, Grinde, S. J. Hansen, M. Hanson, Hoffman, R. Johnson, Kasten, Madison, McCaffree, Measure, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Scott, Southworth, Spring, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt.

Total 43

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 570 - Representative J. Rice moved HB 570 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 98

Noes: None.

Total 0

Excused: Mr. Speaker.

Total 1

Absent or not voting: Menahan.

Total 1

HB 451 - Representative Driscoll moved consideration of HB 451 be placed at the bottom of the second reading board. Motion carried.

HB 597 - Representative Galvin moved HB 597 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, S. J. Hansen, Harrington, Hayne, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, Boharski, Elliott, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, L. Nelson, Peterson, Swysgood, Thoft.
Total 15

Excused: None.
Total 0

Absent or not voting: Daily.
Total 1

HB 668 - Representative Darko moved HB 668, second reading copy, be amended as follows (amendment #1):

1. Title, line 5.
Strike: "MAKING REVOCATION"
Insert: "TO ALLOW SUSPENSION"

2. Title, line 6.
Strike: "MANDATORY"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ellis, McCaffree.

Total 2

Representative Darko moved HB 668, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Becker, D. Brown, Cocchiarella, Cromley, Daily, R. DeBruycker, Driscoll, Elliott, Feland, Gould, Harrington, McCarthy, Measure, Menahan, T. Nelson, O'Keefe, Scott, Southworth, Whalen.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 751 - Representative Boharski moved HB 751 do pass. Motion carried as follows:

Ayes: Baehini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Connelly, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 82

Noes: Becker, D. Brown, Cocchiarella, Cohen, Cromley, Daily, J. DeBruycker, Driscoll, Elliott, Harrington, Kimberley, Measure, Menahan, L. Nelson, O'Keefe, S. Rice, Wyatt.

Total 17

Excused: None.

Total 0

Absent or not voting: Tunby.

Total 1

HB 494 - Representative D. Brown moved HB 494, second reading copy, be amended as follows (amendment #1):

1. Title, line 5.

Following: "FEE;"

Insert: "STATUTORILY APPROPRIATING THE FEES TO COUNTIES FOR PROGRAMS AND FACILITIES FOR MINORS, ADULT CHEMICAL DEPENDENCY TREATMENT PROGRAMS, LAW ENFORCEMENT TRAINING PROGRAMS, AND LAW ENFORCEMENT EQUIPMENT;"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "61-2-107"

Insert: "17-7-502 AND"

2. Page 1, lines 19 and 20.

Following: "(2)" on line 19

Strike: "The" on line 19 through the end of line 20

Insert: "(a) There is an account in the state special revenue fund. The fees collected under subsection (1) must be deposited in the account. The money in the account is statutorily appropriated to the department, as provided in 17-7-502, to be distributed to county treasurers. The department shall distribute to each county treasurer all fee money in the fund collected from drivers residing in that county. Except as provided in subsection (2)(b), the board of county commissioners in each county shall distribute the money to state and local governmental entities, and private entities working with state and local governmental entities, that operate programs within the county that address the problems and concerns of minors, including but not limited to substance abuse; child abuse, neglect, and delinquency; and youth recreational facilities and programs.

(b) A board of county commissioners may distribute up to one-half of the money distributed to the county treasurer under subsection (1)(a) to adult chemical dependency treatment programs and law enforcement training programs that operate within the county and for equipment for local government law enforcement agencies within the county.

Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by

a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-107; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

Amendment #1 passed as follows:

Ayes: Beck, Bergsagel, Boharski, D. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 66

Noes: Bachini, Bardanoue, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cromley, Elliott, Foster, Gilbert, Grady, S. J. Hansen, R. Johnson, Kadas, Keller, Kilpatrick, Madison,

McCulloch, Nisbet, O'Keefe, Peck, Ream, J. Rice, Simpkins, Spring, Stepler, Tunby, Mr. Speaker.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative O'Keefe moved HB 494, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cohen, Connelly, Darko, Davis, Dolezal, Dowell, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, Nisbet, O'Keefe, Peterson, Ream, J. Rice, Russell, Schye, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 56

Noes: Bardanouve, Barnett, Beck, Cobb, Cocchiarella, Cody, Cromley, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Forrester, Gervais, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Measure, Menahan, L. Nelson, T. Nelson, Pavlovich, Peck, Phillips, Quilici, Raney, S. Rice, Scott, Simpkins, Southworth, Stang, Stepler, Swysgood, Thoft, Whalen, Mr. Speaker.
Total 42

Excused: None.
Total 0

Absent or not voting: Hayne, Wyatt.
Total 2

HB 765 - Representative Russell moved HB 765, second reading copy, be amended as follows (amendment #1):

Title, line 7.
Strike: "AND VEHICLE LICENSE APPLICATIONS"

1. Title, line 9.
Strike: "SECTIONS"
Insert: "SECTION"
Strike: "AND 61-3-303"

2. Page 2, line 21 through page 5, line 5.
Strike: section 2 in its entirety

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: S. J. Hansen, Kadas, Southworth.

Total 3

Representative Russell moved HB 765, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Boharski, Clark, Cody, R. DeBruycker, Ellison, Foster, Grady, Grinde, M. Hanson, Hayne, R. Johnson, Kasten, Knox, Lee, McCaffree, T. Nelson, Peck, Simpkins, Swysgood, Thoft, Tunby.

Total 21

Excused: None.

Total 0

Absent or not voting: Elliott.

Total 1

HB 559 - Representative Fagg moved HB 559 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: D. Brown, Driscoll, Scott, Southworth.
Total 4

Excused: None.
Total 0

Absent or not voting: Elliott, Kadas, Simpkins.
Total 3

HB 572 - Representative J. Rice moved HB 572 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: D. Brown, Cobb, Cody, Daily, Driscoll, Kilpatrick, Menahan, Pavlovich, Scott, Southworth, Swysgood.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 563 - Representative Knox moved HB 563 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: D. Brown, Cobb, Daily, J. DeBruycker, Forrester, Pavlovich.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 576 - Representative Harper moved consideration of HB 576 be placed below HB 727 on the second reading board. Motion carried.

HB 595 - Representative Strizich moved HB 595 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, -Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.

Total 62

Noes: Bardanouve, Becker, Benedict, Bergsagel, Cobb, Cody, Cromley, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Raney, Simpkins, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 36

Excused: None.
Total 0

Absent or not voting: D. Brown, Whalen.
Total 2

HB 711 - Representative Connelly moved HB 711 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: D. Brown.
Total 1

HB 727 - Representative Wyatt moved HB 727 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, Grady, Harrington, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 51

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Cobb, Cody, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Raney, Scott, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 49

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 576 - Representative Harper moved HB 576, second reading copy, be amended as follows (amendment #1):

1. Title, line 6.

Following: "ENVIRONMENTAL"

Strike: "IMPACT STATEMENT"

Insert: "REVIEW"

2. Page 2, line 1.

Following: "specific"

Strike: "area"

Insert: "water body"

3. Page 2, line 4.

Following: "environmental"

Strike: "impact statement"

Insert: "review"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Elliott.

Total 1

Representative Harper moved HB 576, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Scott.

Total 1

HB 830 - Representative Phillips moved HB 830 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 82

Noes: Benedict, Bergsagel, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Gilbert, McCaffree, L. Nelson, Scott, Simpkins, Stepler, Swysgood, Thoft.

Total 15

Excused: Mr. Speaker.

Total 1

Absent or not voting: Feland, Grinde.

Total 2

HB 936 - Representative J. Rice moved HB 936 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis,

Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook.

Total 69

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Cody, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellison, Feland, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, Kasten, Knox, Measure, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Tunby, Wallin.

Total 28

Excused: Mr. Speaker.

Total 1

Absent or not voting: Grinde, Kadas.

Total 2

HB 679 - Representative Scott moved HB 679 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Barnett, Bergsagel, Boharski, Cobb, R. DeBruycker, Feland, Grinde, M. Hanson, Kasten, Knox, Lee, McCaffree, Peterson, Spring, Swysgood, Thoft, Wallin.

Total 17

Excused: None.

Total 0

Absent or not voting: Ellison, Mercer.

Total 2

HB 605 - Representative Menahan moved HB 605, second reading copy, be amended as follows (amendment #1):

1. Title, line 18.

Following: "DATE"

February 23, 1991

Insert: "AND AN APPLICABILITY DATE"

2. Page 11, line 23.

Following: line 22

Insert: "NEW SECTION. Section 15. Applicability. [This act] applies to terms of committee members that begin after [the effective date of this act]."

Renumber: subsequent section

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cobb, R. DeBruycker, Feland.

Total 3

Excused: None.

Total 0

Absent or not voting: Barnhart, Bradley, Mercer, L. Nelson.

Total 4

Representative Cohen moved HB 605, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Becker, Bergsagel, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Dowell, Elliott, Ellis, Fagg, Foster, Gervais, Gilbert, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Larson, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 54

Noes: Bachini, Bardanouve, Beck, Benedict, Boharski, D. Brown, Clark, Cobb, Cromley, Daily, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellison, Feland, Forrester, Galvin, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kilpatrick, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Nisbet, Pavlovich, Peck, Phillips, Quilici, J. Rice, Simpkins, Spring, Stang, Swysgood, Thomas, Zook.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 606 - Representative O'Keefe moved HB 606 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 69

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, L. Nelson, T. Nelson, Peterson, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 30

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

HB 607 - Representative Raney moved HB 607 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Barnett, Benedict, Clark, Cobb, Cody, J. DeBruycker, Feland, Grinde, Kasten, L. Nelson, Stepler, Wallin.

Total 12

Excused: None.

Total 0

Absent or not voting: Simpkins.

Total 1

HB 918 - Representative Southworth moved HB 918 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Cody, J. DeBruycker, Feland, M. Hanson, Hayne, Kasten, L. Nelson, Peterson, Stepler.

Total 9

Excused: None.

Total 0

Absent or not voting: Clark, H. S. Hanson, S. Rice.

Total 3

HB 618 - Representative Bergsagel moved HB 618 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Raney, Spring.

Total 2

Excused: None.

Total 0

Absent or not voting: Benedict, Driscoll.

Total 2

HB 628 - Representative Whalen moved HB 628 do pass.

Representative Bradley made a substitute motion HB 628 do not pass.
Motion carried as follows:

Ayes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, McCarthy, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.

Total 54

Noes: Bachini, Bardanouve, Beck, Becker, D. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Whalen, Wyatt, Mr. Speaker.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 730 - Representative D. Brown moved HB 730 do not pass.

Representative Driscoll made a substitute motion HB 730 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Barnett, Barnhart, Benedict, Bradley, J. Brown, Clark, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson,

Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore,
T. Nelson, Phillips, J. Rice, Simpkins, Spring, Thomas, Wallin.
Total 32

Excused: None.
Total 0

Absent or not voting: Zook.
Total 1

Representative Ream in the Chair at this time.

HB 631 - Representative McCulloch moved HB 631 do pass. Motion carried
as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel,
Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,
Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.
DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,
Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H.
S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas,
Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,
McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore,
L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips,
Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires,
Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin,
Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bardanouve, Grinde, R. Johnson, J. Rice, Swysgood, Thoft.
Total 6

Excused: None.
Total 0

Absent or not voting: Simpkins, Spring.
Total 2

HB 642 - Representative Cocchiarella moved HB 642 do pass. Motion
carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel,
Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen,
Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell,
Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould,
Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J.
Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson,
Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, Nisbet,
O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice,
Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler,
Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin,
Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Barnett, Boharski, Cobb, J. DeBruycker, Elliott, Gilbert, M. Hanson, Hayne, Kasten, Lee, Measure, L. Nelson, T. Nelson, Peterson, Simpkins.
Total 15

Excused: None.
Total 0

Absent or not voting: Feland, Menahan.
Total 2

HB 643 - Representative Squires moved HB 643 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, S. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 671 - Representative Gilbert moved consideration of HB 671 be passed for the day. Motion carried.

HB 857 - Representative O'Keefe moved HB 857 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Barnett, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Keller, Knox, Lee, Mercer, Messmore, Peterson, Phillips, Simpkins, Spring, Swysgood, Wallin, Zook.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 846 - Representative Menahan moved HB 846 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, R. DeBruycker, Feland, Gould, Grinde, R. Johnson, Spring, Wallin.

Total 8

Excused: None.

Total 0

Absent or not voting: Cohen.

Total 1

HB 650 - Representative Squires moved HB 650 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 78

Noes: Barnett, Benedict, Bergsagel, R. DeBruycker, Ellison, Feland, Forrester, Grady, H. S. Hanson, M. Hanson, Hayne, Kasten, Knox, Phillips, Simpkins, Spring, Thoft, Thomas, Tunby, Wallin, Zook.
Total 21

Excused: None.
Total 0

Absent or not voting: Larson.
Total 1

HB 655 - Representative Grady moved HB 655 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Grady, S. J. Hansen, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Bardanouve, Cromley, Feland, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, O'Keefe, Peck, Schye, Thoft, Thomas.
Total 14

Voted Absentee: Galvin, No.

Excused: None.
Total 0

Absent or not voting: Harrington, J. Johnson, Keller, Southworth, Spring, Wallin, Whalen.
Total 7

HB 663 - Representative Dowell moved HB 663 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,

Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker, Feland, M. Hanson, Peterson, Spring.
Total 5

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 670 - Representative Daily moved consideration of HB 670 be passed for the day. Motion carried.

HB 678 - Representative Stang moved HB 678 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Feland, Peck.
Total 2

Excused: Galvin.
Total 1

Absent or not voting: Gould, Pavlovich.
Total 2

HB 503 - Representative Pavlovich moved HB 503, second reading copy, be amended as follows (amendment #1):

Title, line 9.
Following: "~~POOL~~;"
Insert: "TO IMPOSE A TAX ON SPORTS TABS;"

1. Page 2, line 23.

Following: "(1)"

Insert: "(a)"

2. Page 2, line 25.

Strike: ":"

3. Page 3, line 1.

Strike: "A"

4. Page 3, line 5.

Strike: ";AND"

Insert: "."

5. Page 3, line 6.

Following: "B"

Insert: "In addition to the requirements in subsection (1)(a), the card used for conducting a sports tab game must"

6. Page 4.

Following: line 16

Insert: "NEW SECTION. Section 4. Tax on sports tabs -- payment -- distribution. (1) A manufacturer licensed under 23-5-152 who sells sports tabs to a licensed operator for use in a sports tab shall:

- (a) collect from the operator, at the time of sale, a tax of \$1 for each 100 sports tabs sold;
- (b) submit to the department, within 15 days after the end of each calendar quarter, the proceeds of the tax collected under subsection (1)(a) and any forms required by the department; and
- (c) keep a record of taxes collected as required by the department. The records must be available for

(2) The department shall retain the proceeds from the tax submitted under subsection (1) to administer this part."

Renumber: subsequent section

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook.

Total 81

Noes: Bardanouve, Barnhart, Bergsagel, Brooke, Cobb, Cohen, R. DeBruycker, Elliott, Forrester, Measure, Peck, J. Rice, Simpkins, Tunby, Wallin, Mr. Speaker.

Total 16

Excused: Galvin.

Total 1

Absent or not voting: Ellison, L. Nelson.

Total 2

Representative Daily moved HB 503, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Beck, Becker, Benedict, D. Brown, Cobb, Cody, Daily, Darko, Davis, Dolezal, Driscoll, Ellis, Feland, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kilpatrick, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Toole, Whalen, Wyatt, Zook.

Total 54

Noes: Bardanoue, Barnett, Barnhart, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Cromley, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellison, Fagg, Forrester, Foster, S. J. Hansen, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Lee, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Raney, J. Rice, Russell, Stickney, Thoft, Thomas, Tunby, Wallin, Wanzenried, Mr. Speaker.

Total 45

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Connelly.

Total 1

HB 698 - Representative Scott moved HB 698 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 86

Noes: Bergsagel, Boharski, Clark, R. DeBruycker, Feland, Gilbert, Gould, Grinde, R. Johnson, Lee, Messmore, J. Rice, Thomas, Wyatt.

Total 14

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 700 - Representative T. Nelson moved HB 700 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 91

Noes: Cocchiarella, Darko, Dowell, O'Keefe, Peck, Raney, Wyatt.

Total 7

Excused: Galvin.

Total 1

Absent or not voting: Ellison.

Total 1

HB 712 - Representative Squires moved HB 712 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Barnett, Bergsagel, Boharski, Clark, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Knox, Spring, Stang, Swysgood, Thoft, Wallin.
Total 20

Excused: Galvin.
Total 1

Absent or not voting: J. DeBruycker, McCarthy, Peck.
Total 3

HB 719 - Representative D. Brown moved HB 719, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 3.
Following: "REQUESTING"
Strike: "OTHER"
Insert: "additional"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Ellison, Feland, H. S. Hanson, J. Johnson, Knox, T. Nelson.
Total 6

Excused: Galvin.
Total 1

Absent or not voting: Cromley.
Total 1

Representative D. Brown moved HB 719, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Foster, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips,

Guilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Toole, Tunby, Wanzenried, Whalen, Zook.

Total 65

Noes: Bachini, Bardanouve, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Clark, Cromley, J. DeBruycker, Ellison, Fagg, Forrester, Gilbert, H. S. Hanson, Hoffman, R. Johnson, Kasten, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Ream, Stickney, Thoft, Thomas, Wallin, Wyatt, Mr. Speaker.

Total 32

Excused: Galvin, Swysgood.

Total 2

Absent or not voting: Feland.

Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report.

Representative D. Brown made a substitute motion HB 628 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (50-48)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/23/91

Correctly enrolled: HB 27, HB 53, HB 91, HB 138, HB 140, HB 163, HB 171, HB 175, HB 178, HB 194, HB 205, HB 242, HB 244.

Examined by the sponsor and found to be correct:

HB 27 - Foster

HB 53 - Nisbet

HB 91 - Gilbert

HB 138 - Peterson

HB 140 - Raney

HB 163 - Kasten

HB 171 - Benedict

HB 175 - D. Brown

HB 178 - Toole

HB 194 - Toole

HB 205 - Davis

HB 242 - Thomas

HB 244 - Thomas

JUDICIARY (Strizich, Chairman):

2/23/91

HB 473, introduced bill, be amended as follows:

1. Title, lines 6 through 8.

Strike: ", SUCH" on line 6 through "HAZARDOUS" on line 8

Insert: "IN PRODUCTS, INSTRUMENTS, OR DEVICES"

2. Title, line 9.

Following: "CONCEALING"

Insert: "SUCH"

3. Page 1, line 15.

Strike: "any instrumentality" through "to any"

Insert: "a product,"

4. Page 1, line 16.

Following: "device,"

Insert: "or"

Strike: ", person, procedure, or product"

5. Page 1, line 17.

Following: "of a"

Insert: "product,"

Following: "device,"

Insert: "or"

6. Page 1, lines 17 and 18.

Strike: ", person, procedure, or product,"

And, as amended, do pass. Report adopted.

HB 896, introduced bill, be amended as follows:

1. Page 5, line 22 through page 6, line 9.

Strike: subsections (a) through (c) in their entirety

Re-number: subsequent subsections

2. Page 6, line 10.

Following: "inspect"

Insert: "state-owned and other"

Following: "public"

Strike: ", "

Insert: "buildings and"

Following: "business"

Strike: ", "

And, as amended, do pass. Report adopted.

HB 968, introduced bill, be amended as follows:

1. Title, line 18.

Following: "PENALTIES;"

Insert: "PROVIDING FOR AN APPROPRIATION;"

2. Page 2, line 25.

Following: "necklace,"

Insert: "tattoo,"

3. Page 8.

Following: line 7

Insert: "NEW SECTION. Section 7. Appropriation. There is appropriated to the department of health and environmental sciences the sum of \$1,000 for the 2 fiscal years beginning July 1, 1991, to be used to publish and disseminate educational materials relating to [this act] for physicians, health care facilities, emergency medical services personnel, and others.

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 938, introduced bill, be amended as follows:

1. Title, line 8.

Strike: ", "

Insert: "AND"

2. Title, lines 10 and 11.

Strike: ", AND" on line 10 through "INSTRUCTIONS" on line 11

3. Page 3, line 6.

Following: "personnel."

Insert: "The term does not include a physician who volunteers his services as an off-line medical director or whose total reimbursement for those services in any 12-month period does not exceed \$5,000."

4. Page 3, line 21.

Following: "service"

Insert: "without compensation or for compensation not exceeding \$5,000 in any 12-month period and whose professional practice is not primarily in an emergency or trauma room or ward"

5. Page 4, lines 11 through 21.

Strike: subsection (3) in its entirety

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

2/23/91

HB 681, introduced bill, be amended as follows:

1. Title, line 11.

Following: "50-5-101,"

Insert: "50-5-301,"

Following: "50-5-317,"

Insert: "53-6-101,"

2. Page 19, lines 1 and 2.

Strike: "long-term treatment services for mental illness in a"

3. Page 19, line 2.

Strike: "setting"

Insert: "psychiatric care"

4. Page 19.

Following: line 3

Insert: "(32) "Residential psychiatric care" means active psychiatric treatment in a residential treatment facility of psychiatrically impaired individuals with persistent patterns of emotional, psychological, or behavioral dysfunction of such severity as to require 24-hour supervised care to adequately treat or remedy their condition. Residential psychiatric care must be individualized and designed to achieve the patient's discharge to less restrictive levels of care at the earliest possible time."

Renumber: subsequent subsection

5. Page 19.

Following: line 7

Insert: "Section 2. Section 50-5-301, MCA, is amended to read:

"50-5-301. (Temporary) When certificate of need is required -- definitions. (1) Unless a person has submitted an application for and is the holder of a certificate of need granted by the department, he may not initiate any of the following:

(a) the incurring of an obligation by or on behalf of a health care facility for any capital expenditure, other than to acquire an existing health care facility or to replace major medical equipment with equipment performing substantially the same function and in the same manner, that exceeds the expenditure thresholds established in subsection (4). The costs of any studies, surveys, designs, plans, working drawings, specifications, and other activities (including staff effort, consulting, and other services) essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which an expenditure is made must be included in determining if the expenditure exceeds the expenditure thresholds.

(b) a change in the bed capacity of a health care facility through an increase in the number of beds or a relocation of beds from one health care facility or site to another, unless:

(i) the number of beds involved is 10 or less or 10% or less of the licensed beds (if fractional, rounded down to the nearest whole number), whichever figure is smaller, in any 2-year period;

(ii) a letter of intent is submitted to the department; and

(iii) the department determines the proposal will not significantly increase the cost of care provided or exceed the bed need projected in the state health plan;

(c) the addition of a health service that is offered by or on behalf of a health care facility which was not offered by or on behalf of the facility within the 12-month period before the month in which the service would be offered and which will result in additional annual operating and amortization expenses of \$150,000 or more;

(d) the acquisition by any person of major medical equipment, provided such acquisition would have required a certificate of need pursuant to subsection (1)(a) or (1)(c) if it had been made by or on behalf of a health care facility;

(e) the incurring of an obligation for a capital expenditure by any person or persons to acquire 50% or more of an existing health care facility unless:

(i) the person submits the letter of intent required by 50-5-302(2); and

(ii) the department finds that the acquisition will not significantly increase the cost of care provided or increase bed capacity;

(f) the construction, development, or other establishment of a health care facility which is being replaced or which did not previously exist, by any person, including another type of health care facility;

(g) the expansion of the geographical service area of a home health agency;

(h) the use of hospital beds to provide services to patients or residents needing only skilled nursing care, intermediate nursing care, or intermediate developmental disability care, as those levels of care are defined in 50-5-101; or

(i) the provision by a hospital of services for ambulatory surgical care, home health care, long-term care, inpatient mental health care, inpatient chemical dependency treatment, inpatient rehabilitation, or personal care.

(2) For purposes of subsection (1)(b), a change in bed capacity occurs on the date new or relocated beds are licensed pursuant to part 2 of this chapter and the date a final decision is made to grant a certificate of need for new or relocated beds, unless the certificate of need expires pursuant to 50-5-305.

(3) For purposes of this part, the following definitions apply:

(a) "Health care facility" or "facility" means a nonfederal ambulatory surgical facility, home health agency, long-term care facility, medical assistance facility, mental health center with inpatient services, inpatient chemical dependency facility, rehabilitation facility with inpatient services, residential treatment facility, or personal care facility. The term does not include a hospital, except to the extent that a hospital is subject to certificate of need requirements pursuant to subsection (1)(i).

(b) (i) "Long-term care facility" means an entity which provides skilled nursing care, intermediate nursing care, or intermediate developmental disability care, as defined in 50-5-101, to a total of two or more persons.

(ii) The term does not include adult foster care, licensed under 53-5-303; community homes for the developmentally disabled, licensed under 53-20-305; community homes for persons with severe disabilities, licensed under 53-19-203; boarding or foster homes for children, licensed under 41-3-1142; hotels, motels, boardinghouses, roominghouses, or similar accommodations providing for transients, students, or persons not requiring institutional health care; or juvenile and adult correctional facilities operating under the authority of the department of institutions.

(c) "Obligation for capital expenditure" does not include the authorization of bond sales or the offering or sale of bonds pursuant to the state long-range building program under Title 17, chapter 5, part 4, and Title 18, chapter 2, part 1.

(d) "Personal care facility" means an entity which provides services and care which do not require nursing skills to more than four persons who are not related to the owner or administrator by blood or marriage and who need some assistance in performing the activities of everyday living. The term does not include those entities excluded from the definition of "long-term care facility" in subsection (3)(b).

(4) Expenditure thresholds for certificate of need review are established as follows:

(a) For acquisition of equipment and the construction of any building necessary to house the equipment, the expenditure threshold is \$750,000.

(b) For construction of health care facilities, the expenditure threshold is \$1,500,000. (Repealed effective July 1, 1991--sec. 2, 3, Ch. 377, L. 1989.)"

Renumber: subsequent sections

6. Page 20.

Following: line 25

Insert: "Section 5. Section 53-6-101, MCA, is amended to read:

"53-6-101. Montana medicaid program -- authorization of services. (1) There is a Montana medicaid program established for the purpose of providing necessary medical services to eligible persons who have need for medical assistance. The Montana medicaid program is a joint federal-state program administered under this chapter and in accordance with Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.), as may be amended. The department of social and rehabilitation services shall administer the Montana medicaid program.

(2) Medical assistance provided by the Montana medicaid program includes the following services:

- (a) inpatient hospital services;
- (b) outpatient hospital services;
- (c) other laboratory and x-ray services;
- (d) skilled nursing services in long-term care facilities;
- (e) physicians' services;
- (f) nurse specialist services;
- (g) early and periodic screening, diagnosis, and treatment services for persons under 21 years of age;

(h) services provided by physician assistants-certified within the scope of their practice and that are otherwise directly reimbursed as allowed under department rule to an existing provider;

(i) health services provided under a physician's orders by a public health department; and

(j) hospice care as defined in 42 U.S.C. 1396d(o).

(3) Medical assistance provided by the Montana medicaid program may, as provided by department rule, also include the following services:

(a) medical care or any other type of remedial care recognized under state law, furnished by licensed practitioners within the scope of their practice as defined by state law;

(b) home health care services;

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(c) private-duty nursing services;
(d) dental services;
(e) physical therapy services;
(f) mental health center services administered and funded under a state mental health program authorized under Title 53, chapter 21, part 2;

(g) clinical social worker services;
(h) prescribed drugs, dentures, and prosthetic devices;
(i) prescribed eyeglasses;
(j) other diagnostic, screening, preventive, rehabilitative, chiropractic, and osteopathic services;

(k) inpatient psychiatric hospital services for persons under 21 years of age;

(l) services of professional counselors licensed under Title 37, chapter 23, if funds are specifically appropriated for the inclusion of these services in the Montana medicaid program;

(m) ambulatory prenatal care for pregnant women during a presumptive eligibility period, as provided in 42 U.S.C. 1396a(a)(47) and 42 U.S.C. 1396r-1;

(n) inpatient psychiatric services for persons under 21 years of age, as provided in 42 U.S.C. 1396 d (h), in a residential treatment facility, as defined in 50-5-101, that is licensed in accordance with 50-5-201;

~~(n)~~(o) any additional medical service or aid allowable under or provided by the federal Social Security Act.

(4) The department may implement, as provided for in Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.), as may be amended, a program under medicaid for payment of medicare premiums, deductibles, and coinsurance for persons not otherwise eligible for medicaid.

(5) The department may set rates for medical and other services provided to recipients of medicaid and may enter into contracts for delivery of services to individual recipients or groups of recipients.

(6) The services provided under this part may be only those that are medically necessary and that are the most efficient and cost effective.

(7) The amount, scope, and duration of services provided under this part must be determined by the department in accordance with Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.), as may be amended.

(8) Services, procedures, and items of an experimental or cosmetic nature may not be provided.

(9) If available funds are not sufficient to provide medical assistance for all eligible persons, the department may set priorities to limit, reduce, or otherwise curtail the amount, scope, or duration of the medical services made available under the Montana medicaid program.

(10) Community-based medicaid services, as provided for in part 4 of this chapter, must be provided in accordance with the provisions of this chapter and the rules adopted thereunder. (Subsection (2)(j) terminates June 30, 1991--sec. 4, Ch. 633, L.

1989; Subsection (3)(m) terminates June 30, 1991--sec. 15, Ch. 649, L. 1989.)""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 761, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REQUIRING"

Insert: "AUTHORIZING"

2. Title, line 6.

Following: "OFFENSE;"

Insert: "PROVIDING FOR COUNSELING OF THE CONVICTED PERSON
AND THE VICTIM;"

3. Title, line 6.

Strike: "IS ENTITLED TO"

Insert: "MUST"

4. Page 1, line 14.

Strike: "must"

Insert: "may"

5. Page 1, line 15.

Strike: "serological"

6. Page 1.

Following: line 21

Insert: "(3) If the results of the test authorized by this section indicate that the convicted person suffers from a sexually transmitted disease, the county attorney of the county in which the person was convicted shall arrange for posttest counseling of the convicted person and of any victim of the convicted person.

(4) The provisions of the AIDS Prevention Act do not apply to [sections 1 through 3]."

7. Page 1, line 25.

Strike: "may"

Insert: "shall"

8. Page 2, lines 2 through 19.

Following: line 1

Strike: lines 2 through 19

Insert: "(a) the health care provider who conducted the test, who shall release the test results to the convicted person and to any victim of the convicted person;

(b) the health officer to whom the department has required the reporting of communicable diseases under 50-1-202; and

(c) the defense counsel for the convicted person."

9. Page 2, line 22.

Strike: "or local board of health"

10. Page 3, lines 1 through 3.

Strike: "for" on line 1 through "or" on line 3

11. Page 3, line 3.

Following: "treatment"

Insert: "or prosecution or defense of the convicted person"

12. Page 3, line 6.

Strike: "authorized"

Insert: "required"

And, as amended, do pass. Report adopted.

HB 895, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "50-15-402,"

2. Page 1, line 12.

Following: "of"

Insert: "dead"

3. Page 1, line 13.

Following: "A"

Insert: "dead"

4. Page 1, line 15.

Strike: "by the board of morticians, provided for in 2-15-1853,"

Insert: "under 37-19-302, his agent,"

5. Page 1, line 17.

Following: "written"

Insert: "or oral"

Following: "authorization of"

Strike: "the"

Insert: "a"

6. Page 1, lines 17 through 19.

Strike: "in" on line 17 through "attended" on line 19

Insert: ", coroner, or mortician licensed under Title 37"

7. Page 1, line 19.

Strike: "written"

8. Page 1, lines 20 through 23.

Following: "department"

Strike: remainder of lines 20 through "released" on line 23

9. Page 1, line 24.

Strike: "written"

10. Page 2, line 1.

Strike: "within the state only"

11. Page 2, line 2.

Following: "mailed"

Insert: "or delivered"

Strike: "24"

Insert: "72"

12. Page 2, line 3.

Following: "registrar"

Strike: "of"

Insert: "in"

13. Page 2, line 4.

Strike: "in which"

Insert: "where"

14. Page 2, line 5.

Following: "Death"

Insert: "or fetal death"

15. Page 2, line 7.

Following: "data"

Insert: "on the deceased, or on the parents in the case of a fetal death,"

16. Page 2, line 9.

Strike: "the registration part of"

Following: "death"

Insert: "or fetal death"

17. Page 2, lines 9 through 16.

Following: "certificate."

Strike: remainder of lines 9 through "death." on line 16

18. Page 2, line 18.

Strike: "the state copy of"

19. Page 2, lines 22 and 23.

Strike: "20 days of the date of death"

Insert: "the timeframe prescribed by the department"

20. Page 2, line 23.

Strike: "state"

Following: "death"

Insert: "or fetal death"

21. Page 2, line 24.

Strike: "for"

Insert: "in"

22. Page 2, line 25.

Strike: "in which"

Insert: "where"

23. Page 3, line 1 through line 5.

Strike: subsection (3) in its entirety

24. Page 3, line 9.

Following: "burial"

Insert: ", entombment, or burial at sea"

25. Page 3, line 10.

Strike: "or"

26. Page 3, line 12.

Following: "cremation"

Insert: "; or

(d) anatomical donation"

27. Page 3, line 16, through page 4, line 6.

Following: "department."

Strike: remainder of line 16 through "destination." on page 4

28. Page 4, line 8.

Strike: "50-15-402,"

And, as amended, do pass. Report adopted.

HB 909, introduced bill, be amended as follows:

1. Page 1, line 25.

Following: "has"

Insert: ": (i)"

2. Page 2, line 3.

Strike: "(b) has"

Insert: "(ii)"

3. Page 2, line 7.

Strike: "(c)"

Insert: "(b)"

And, as amended, do pass. Report adopted.

HB 917, introduced bill, be amended as follows:

1. Title, line 24.

Following: "REQUIRED;"

Insert: "PROVIDING FOR HIV TESTING OF PATIENTS POTENTIALLY
INFECTING HEALTH CARE FACILITY PERSONNEL OR
EMERGENCY RESPONDERS;"

2. Page 3, line 17.

Following: "transmission"

February 23, 1991

Insert: "in accordance with modes of transmission recognized by the center for disease control of the United States public health service"

3. Page 9, line 8.

Following: "~~department~~"

Insert: "at one of the counseling-testing sites established by the department, or"

4. Page 10, lines 24 and 25.

Strike: "24 hours"

Insert: "a reasonable time"

5. Page 11.

Following: line 3

Insert: "(10) (a) If an agent or employee of a health care facility, a health care provider with privileges at the health care facility, or a first responder has been voluntarily or involuntarily exposed to a patient in a manner that may allow infection by HIV by a mode of transmission recognized by the center for disease control of the United States public health service, the physician of the patient shall, upon request of the exposed person, notify the patient of the exposure and seek written informed consent in accordance with guidelines of the center for disease control for an HIV-related test of the patient. If written informed consent cannot be obtained, the health care facility, in accordance with the infectious disease exposure guidelines of the health care facility, may, without the consent of the patient, conduct the test on previously drawn blood or previously collected bodily fluids to determine if the patient is in fact infected. A health care facility is not required to perform a test authorized in this subsection. If a test is conducted pursuant to this subsection, the health care facility shall inform the patient of the results and provide the patient with post-test counseling. The patient may not be charged for a test performed pursuant to this subsection. The results of a test performed pursuant to this subsection may not be made part of the patient's record and are subject to 50-16-1009(1).

(b) For the purposes of this subsection, "written informed consent" means an agreement in writing that is freely executed by the subject of an HIV-related test, by the subject's legal guardian, or, if there is no legal guardian and the subject is incapacitated, by the subject's next-of-kin, significant other, or a person designated by the subject in hospital records to act on the subject's behalf."

Renumber: subsequent subsection

6. Page 16, line 20.

Strike: "person"

Insert: "contact as defined in 50-16-1003"

7. Page 16, line 22.

Strike: "patient"

Insert: "contact"

8. Page 16.

Following: line 23

Insert: "NEW SECTION. Section 7. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 927, introduced bill, be amended as follows:

1. Page 4, line 25.

Following: "means"

Strike: "a certified"

Insert: "an"

2. Page 5, line 1.

Following: "other"

Strike: "similar professional who is"

Insert: "experienced personnel who are"

3. Page 6, line 19.

Following: "department"

Insert: "or a vocational specialist authorized by the department"

And, as amended, do pass. Report adopted.

HB 948, introduced bill, be amended as follows:

1. Title, line 8.

Following: "CHILDREN"

Insert: "AND YOUTH IN NEED OF SUPERVISION"

2. Page 1, line 14.

Strike: "contract"

Insert: "written agreement"

3. Page 1, line 19.

Following: "the"

Insert: "county"

4. Page 1, line 20.

Strike: "and"

5. Page 1, line 21.

Strike: "."

Insert: "; and"

6. Page 1.

Following: line 21

Insert: "(g) the superintendents of public school districts."

7. Page 1, line 22.

Strike: "contract"

Insert: "written agreement"

8. Page 1, line 24.

Strike: "contract"

Insert: "written agreement"

9. Page 2, line 13.

Strike: "contract"

Insert: "written agreement"

10. Page 2, line 14.

Strike: "contract"

Insert: "written agreement"

11. Page 2, lines 15 and 16.

Strike: "in" on line 15 through "maximum" on line 16

12. Page 2, line 16.

Strike: "of all types"

13. Page 2, line 20.

Following: "children"

Insert: "and youth in need of supervision"

14. Page 2, line 24.

Strike: "contract"

Insert: "written agreement"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

ADVERSE COMMITTEE REPORT

HB 707 - Representative Bachini moved the 2/22/91 adverse committee report on HB 707 be adopted.

Representative Menahan made a substitute motion the adverse committee report be not adopted and HB 707 be printed and placed on second reading. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dowell, Driscoll, Elliott, Forrester, Foster, Gervais, Gilbert, S. J. Hansen, Harrington, Hoffman, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 60

Noes: Barnett, Barnhart, Benedict, Boharski, Clark, J. DeBruycker, R. DeBruycker, Dolezal, Ellis, Ellison, Fagg, Feland, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Phillips, J. Rice, S. Rice, Simpkins, Stepler, Thoft, Thomas, Tunby.

Total 37

Excused: Galvin, Swysgood.

Total 2

Absent or not voting: Spring.

Total 1

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/23/91

SB 228, introduced by Yellowtail

SB 298, introduced by Yellowtail

SB 303, introduced by Weeding

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 972, introduced by Simpkins, Spring, Driscoll, R. Johnson, Phillips, H.S. Hanson, Peterson, J. Brown, Galvin, Hayne, Kasten, Davis, Daily, Southworth, Feland, Forrester, R. DeBruycker, J. DeBruycker, Cocchiarella, Bergsagel, Barnhart, referred to Committee on Taxation

MOTIONS

Representative Bradley moved HB 628 be indefinitely postponed.

Representative D. Brown made a substitute motion to adjourn until 8:00 a.m., Monday, February 25, 1991. Motion failed.

Thereupon, the motion to indefinitely postpone HB 628 passed.

Representative Bachini moved HB 466 be taken from the table from the Committee on Judiciary and be printed and placed on second reading. Motion carried.

Representative Raney moved HB 670 be taken from second reading and rereferred to the Committee on Natural Resources. Motion carried.

Representative Peck moved HB 548 and HB 936 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 595 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 727 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 830 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Connelly moved HB 716 be taken from the Committee on Local Government and be printed and placed on second reading. Motion failed.

Representative Lee moved he be allowed to change his vote on HB 261, second reading, from yes to no. Motion carried.

Representative Driscoll moved the House adjourn until 8:00 a.m., Monday, February 25, 1991. Motion carried.

House adjourned at 6:20 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 25, 1991

House Chambers
State Capitol

House convened at 8:05 a.m. Mr. Speaker in the Chair. Invocation by Representative Barnett. Pledge of Allegiance to the Flag.

Roll call. All members present except H.S. Hanson, Scott, Whalen, excused. Quorum present.

Representative Driscoll moved the House recess until 9:15 a.m.

House recessed at 8:10 a.m.

House reconvened at 9:20 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/25/91
Correctly printed: HB 116, HB 641, HB 703, HB 735, HB 754, HB 770, HB 800, HB 831, HB 838, HB 849, HB 862, HB 876, HB 887, HB 888, HB 891, HB 912, HB 952, HB 962, HJR 26.
Correctly engrossed: HB 144, HB 169, HB 233, HB 260, HB 261, HB 351, HB 494, HB 506, HB 538, HB 539, HB 548, HB 559, HB 576, HB 605, HB 668, HB 679, HB 724, HB 765, HB 924, HB 926, HB 930.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 2/25/91
HB 571, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 2/25/91
HB 421, introduced bill, do pass. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 364 - Representative Grady moved consideration of HB 364 be passed for the day. Motion carried.

HB 417 - Representative Elliott moved HB 417, second reading copy, be amended as follows (amendment #1):

Title, lines 7 and 8.

Following: "PROHIBITING" on line 7

Strike: remainder of line 7 through "OR" on line 8

1. Page 3, lines 2 through 12.

Strike: ":" on line 2 through "(c)" on line 12.

Insert: "or knowingly"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: Whalen.

Total 1

Representative Elliott moved HB 417, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 91

Noes: Bardanouve, Cody, Cromley, Forrester, Quilici, Ream, Whalen, Wyatt.

Total 8

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 573 - Representative J. Rice moved consideration of HB 573 be passed for the day. Motion carried.

HB 671 - Representative Connelly moved HB 671, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (28-71)

Representative Gilbert moved HB 671 do pass.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cobb moved HB 671, second reading copy, be amended (amendment #2): Amendment #2 failed as follows: (36-63)

Representative Cobb moved HB 671, second reading copy, be amended (amendment #3). Amendment #3 failed as follows: (37-62)

Representative Cobb moved HB 671, second reading copy, be amended as follows (amendment #4):

1. Page 15, line 16.

Following: "1/32"

Strike: "1/16"

Insert: "1/32"

Amendment #4 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 83

Noes: Brooke, Cocchiarella, Cohen, Elliott, Galvin, Gervais, S. J. Hansen, Kadas, Lee, Measure, Menahan, Messmore, Raney, Southworth, Strizich, Wyatt.

Total 16

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

Representative Ellison moved HB 671, second reading copy, be further amended as follows (amendment #5):

1. Page 2, line 19 through line 22.

Following: "ENVIRONMENT;" on line 19

Strike: "TO" on line 19 through "AND" on line 22

2. Page 27, line 4.

Following: "be"

Insert: "substantially"

Amendment #5 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

Representative Gilbert moved HB 671, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 68

Noes: Benedict, Bergsagel, Boharski, D. Brown, Cobb, Cody, Connelly, R. DeBruycker, Fagg, Feland, Foster, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, McCaffree, Mercer, T. Nelson, Pavlovich,

Peterson, Phillips, Quilici, Simpkins, Stang, Swysgood, Thoft, Thomas, Zook.

Total 32

Voted Absentee: H. S. Hanson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 720 - Representative Forrester moved HB 720, second reading copy, be amended as follows (amendment #1):

1. Strike: the House Committee on Highways and Transportation amendments dated February 18, 1991 in their entirety.

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, J. Brown, Cocchiarella, Connelly, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Feland, Forrester, Galvin, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, Keller, Kilpatrick, Kimberley, Knox, McCaffree, McCarthy, Menahan, Mercer, Messmore, Pavlovich, Peck, Peterson, Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stepler, Stickney, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: Barnett, Bergsagel, Boharski, Brooke, D. Brown, Clark, Cobb, Cody, Cohen, Cromley, Davis, Fagg, Foster, Gervais, Gilbert, Grinde, Hoffman, R. Johnson, Kadas, Kasten, Larson, Madison, Measure, L. Nelson, T. Nelson, Nisbet, O'Keefe, Phillips, Ream, J. Rice, Simpkins, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin.

Total 38

Excused: H. S. Hanson.

Total 1

Absent or not voting: Ellis, Lee, McCulloch.

Total 3

Representative Forrester moved HB 720, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, J. Brown, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Feland, Forrester, Galvin, Gould, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kilpatrick, Kimberley, McCaffree, McCarthy, McCulloch, Menahan, O'Keefe, Pavlovich, Peck,

Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Spring, Stickney, Tunby, Whalen, Wyatt, Mr. Speaker.

Total 49

Noes: Benedict, Bergsagel, Boharski, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Ellis, Fagg, Foster, Gervais, Gilbert, Grady, Grinde, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Madison, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, Ream, J. Rice, Simpkins, Squires, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Zook.

Total 50

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 726 - Representative Bergsagel moved HB 726, second reading copy, be amended as follows (amendment #1):

1. Page 48, line 11.

Strike: "November 30"

Insert: "October 31"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: J. Brown, Ellis.

Total 2

February 25, 1991

Representative Bergsagel moved HB 726, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Measure.

Total 1

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 739 - Representative J. Rice moved HB 739 do pass.

Representative Toole made a substitute motion HB 739 be moved to the bottom of the board. Motion failed as follows: (48-50)

Representative J. Rice moved consideration of HB 739 be placed below HB 785 on the second reading board. Motion carried.

HB 745 - Representative Swysgood moved HB 745 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: Steppler.

Total 1

HB 747 - Representative Lee moved HB 747 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Daily, Feland, Gould.

Total 3

Excused: H. S. Hanson.

Total 1

Absent or not voting: Benedict, S. J. Hansen.

Total 2

HB 758 - Representative Barnhart moved HB 758 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Connelly, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, M.

Hanson, Hayne, Kasten, Keller, Lee, McCaffree, L. Nelson, T. Nelson, Peck, Phillips, Spring, Swysgood, Thoft, Thomas, Wallin.
Total 29

Excused: H. S. Hanson.
Total 1

Absent or not voting: S. J. Hansen.
Total 1

HB 774 - Representative R. Johnson moved HB 774 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: J. DeBruycker, Tunby.
Total 2

Excused: H. S. Hanson.
Total 1

Absent or not voting: Elliott, Grinde, S. Rice.
Total 3

HB 776 - Representative Bergsagel moved HB 776 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cody, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Raney, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook.
Total 77

Noes: Bachini, Barnhart, Bradley, Brooke, Cobb, Cocchiarella, Cohen, Darko, J. DeBruycker, Elliott, Kadas, Kimberley, Measure, L. Nelson, O'Keefe, Peck, Quilici, Ream, Southworth, Wyatt, Mr. Speaker.
Total 21

Excused: H. S. Hanson.
Total 1

Absent or not voting: Russell.
Total 1

HB 782 - Representative Hansen moved HB 782 do pass.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cobb moved HB 782, second reading copy, be amended as follows (amendment #1):

1. Page 7, line 23.
Strike: "one"
Insert: "two"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 88

Noes: J. DeBruycker, Elliott, Galvin, Measure, O'Keefe, Peck, Ream, Wyatt.
Total 8

Excused: H. S. Hanson.
Total 1

Absent or not voting: Bergsagel, Hoffman, S. Rice.
Total 3

Representative Hansen moved HB 782, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb, Hoffman, McCaffree.

Total 3

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 784 - Representative Driscoll moved consideration of HB 784 be placed below HB 854 on the second reading board. Motion carried.

HB 785 - Representative Messmore moved HB 785 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: McCaffree.

Total 1

HB 739 - Representative Toole moved HB 739, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 2.

Strike: "or full use"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Benedict, R. DeBruycker, Ellis, S. J. Hansen, Kasten.

Total 5

Excused: H. S. Hanson.

Total 1

Absent or not voting: Squires, Stepler, Swysgood, Toole.

Total 4

Representative J. Rice moved HB 739, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cody, R. DeBruycker, S. J. Hansen, Measure, Scott, Whalen.

Total 6

Excused: H. S. Hanson.

Total 1

Absent or not voting: Raney.
Total 1

HB 825 - Representative D. Brown moved HB 825, second reading copy, be amended as follows (amendment #1):

1. Page 8, lines 13 through 18.
Strike: lines 13 through 18 in their entirety

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: H. S. Hanson.
Total 1

Absent or not voting: None.
Total 0

Representative D. Brown moved HB 825, as amended, do pass.

Representative Clark made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Clark moved HB 825, second reading copy, be further amended as follows (amendment #2):

1. Page 9, lines 21 and 22.
Strike: "for" on line 21 through "and" on line 22

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson,

Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 70

Noes: Bachini, Barnhart, Bradley, Brooke, Cocchiarella, Cody, Cohen, Cromley, Dolezal, Dowell, Elliott, Galvin, Gervais, Harrington, Kadas, Kimberley, Measure, L. Nelson, Nisbet, O'Keefe, Peck, Russell, Scott, Steppler, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 29

Excused: H. S. Hanson.
Total 1

Absent or not voting: None.
Total 0

Representative D. Brown moved HB 825, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bardanouve, Brooke, Gervais, Peck, Southworth, Steppler, Toole.
Total 7

Excused: H. S. Hanson.
Total 1

Absent or not voting: Cody, McCarthy.
Total 2

HB 847 - Representative Lee moved HB 847 do pass. Motion carried as follows:

Ayes: Bachini, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller,

Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bardanouve, Barnett, Barnhart, Bradley, Measure, T. Nelson.
Total 6

Excused: H. S. Hanson.
Total 1

Absent or not voting: Ellison, Kadas.
Total 2

Representative Driscoll moved the House recess until 1:00 p.m. Motion carried.

House recessed at 12:00 noon.

House reconvened at 1:10 p.m.

Representative Cocchiarella in the Chair at this time.

HB 848 - Representative Bardanouve moved HB 848 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Connelly, Daily.
Total 2

Excused: H. S. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 854 - Representative Foster moved HB 854 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: Connelly, Harrington.

Total 2

HB 784 - Representative O'Keefe moved HB 784, second reading copy, be amended as follows (amendment #1):

1. Page 6, line 5.

Following: "information"

Insert: ", where possible,"

2. Page 6, line 8.

Strike: "and"

3. Page 6, line 10.

Following: "13-2-114"

Insert: ";

(e) residence address;

(f) phone number;

(g) date of birth; and

(h) gender"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,

McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Daily, R. DeBruycker, Ellison, Feland, Grinde, M. Hanson, Hayne, Kasten, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft.

Total 14

Excused: H. S. Hanson.

Total 1

Absent or not voting: Bardanouve, J. Rice.

Total 2

Representative O'Keefe moved HB 784, second reading copy, be further amended as follows (amendment #2):

1. Page 2, line 8.

Following: "they may"

Insert: "not"

2. Page 2, line 9.

Following: "section 4"

Strike: "but"

Insert: "and"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: Simpkins, Toole.

Total 2

Representative O'Keefe moved HB 784, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Barnett, Benedict, Bergsagel, Cobb, Connelly, Cromley, R. DeBruycker, Ellis, Ellison, Feland, Grinde, M. Hanson, Hayne, Kasten, Keller, Knox, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft.

Total 23

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 860 - Representative Dowell moved HB 860 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, McCarthy, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stepler, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 59

Noes: Barnett, Benedict, D. Brown, Clark, Cobb, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Madison, McCaffree, McCulloch, Menahan, Nisbet, Pavlovich, Peterson, Phillips, Simpkins, Stang, Stickney, Swysgood, Thoft, Wallin, Zook.

Total 40

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.
Total 0

HB 863 - Representative Steppler moved HB 863, second reading copy, be amended as follows (amendment #1):

1. Page 15, line 25.
Strike: "AND"

2. Page 16, line 2 and 3.
Following: "COUNTY"
Insert: "; and

(d) adopt investment guidelines that ensure that up to 10% of its available capital is invested in counties with populations of 20,000 or less"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Brooke, Larson, Raney.
Total 3

Excused: H. S. Hanson.
Total 1

Absent or not voting: Harrington, R. Johnson, Simpkins, Strizich.
Total 4

Representative D. Brown moved HB 863, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips,

Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: R. DeBruycker, Grinde.

Total 2

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 867 - Representative Gilbert moved HB 867 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Benedict, Cody, Connelly, J. DeBruycker, R. DeBruycker, Feland, Forrester, Grinde, Hoffman, Knox, L. Nelson, Phillips, Scott, Stang, Stepler, Swysgood, Thoft, Zook.

Total 18

Excused: H. S. Hanson.

Total 1

Absent or not voting: Ellison.

Total 1

Representative Pavlovich in the Chair at this time.

HB 870 - Representative R. Johnson moved HB 870 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee,

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Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: H. S. Hanson.

Total 1

Absent or not voting: Hoffman.

Total 1

HB 875 - Representative Whalen moved HB 875 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Barnett, Benedict, Cobb, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, Hayne, Kasten, Keller, Knox, Lee, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin.

Total 23

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 899 - Representative Cocchiarella moved HB 899 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer,

Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 84

Noes: Cody, Connelly, J. DeBruycker, R. DeBruycker, Ellison, Feland, Grinde, Hayne, Kasten, L. Nelson, T. Nelson, Peterson, Simpkins, Swysgood, Zook.

Total 15

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

Representative Cocchiarella resumed the Chair at this time.

HB 908 - Representative Harper moved HB 908 do pass.

Representative Cobb made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Cobb moved HB 908, second reading copy, be amended as follows (amendment #1):

1. Title, line 7.

Following: "WATERCOURSES"

Insert: "OR PORTIONS OF WATERCOURSES"

2. Page 1, line 20.

Page 2, line 2.

Page 2, line 5.

Following: "watercourses"

Insert: "or portions of watercourses"

3. Page 10, line 2.

Following: "watercourse"

Insert: "or portions of a watercourse"

Page 10, line 5.

Following: "watercourse"

Insert: "or portions of the watercourse"

4. Page 10, line 8.

Following: "WATERCOURSE"

Insert: "or portions of the watercourse"

5. Page 10, line 21.

Page 10, line 23.

Following: "watercourses"

Insert: "or portions of watercourses"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: H. S. Hanson.
Total 1

Absent or not voting: Cromley, Ellison.
Total 2

Representative Harper moved HB 908, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Feland, Hayne, Hoffman, Kasten, Spring.
Total 5

Excused: H. S. Hanson.
Total 1

Absent or not voting: Brooke, Cohen, Ellis, Strizich.
Total 4

HB 920 - Representative Darko moved HB 920 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Whalen.
Total 1

Excused: H. S. Hanson.
Total 1

Absent or not voting: Ellis, Ellison, Simpkins.
Total 3

HB 922 - Representative Darko moved HB 922 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 69

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Grinde, M. Hanson, Hayne, Hoffman, Keller, Knox, Measure, Mercer, T. Nelson, Phillips, Ream, J. Rice, Simpkins, Swysgood, Thoft, Thomas, Whalen, Wyatt, Zook.
Total 29

Excused: H. S. Hanson.
Total 1

Absent or not voting: S. J. Hansen.
Total 1

HB 942 - Representative Beck moved HB 942 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Brooke, Cohen, Feland, Measure.
Total 4

Excused: H. S. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 945 - Representative Bradley moved HB 945 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: H. S. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 767 - Representative Measure moved HB 767, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 22.

Following: line 21

Insert: "(5) "Year" means a consecutive 12-month period."

2. Page 7, line 14.

Page 7, line 18.

Page 7, line 23.

Strike: "6"

Insert: "12"

3. Page 7, line 16.

Page 7, line 25.

Strike: "\$5"

Insert: "\$10"

4. Page 8, line 5.

Following: line 4

Insert: "(5) No interest is payable for a partial year's rent."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: R. DeBruycker, Feland, Forrester, M. Hanson, Hayne, Wallin.
Total 6

Excused: H. S. Hanson.
Total 1

Absent or not voting: Driscoll, Foster, Gilbert, McCarthy, Menahan.
Total 5

Representative Measure moved HB 767, as amended, do pass. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Gervais, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan,

L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Toole, Wanzenried, Whalen, Mr. Speaker.

Total 50

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Dolezal, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, S. Rice, Simpkins, Spring, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.

Total 50

Voted Absentee: H. S. Hanson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 768 - Representative Measure moved HB 768 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Fagg, Gervais, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stickney, Toole, Wanzenried, Whalen, Mr. Speaker.

Total 50

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Dolezal, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Knox, Larson, Lee, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, S. Rice, Simpkins, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.

Total 49

Voted Absentee: H. S. Hanson, No.

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HJR 19 - Representative Wallin moved HJR 19 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Connelly, Measure, Raney.

Total 3

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HJR 25 - Representative Whalen moved consideration of HJR 25 be passed for the day. Motion carried.

HJR 37 - Representative Gervais moved HJR 37 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Feland, Spring.

Total 2

Excused: H. S. Hanson.

Total 1

Absent or not voting: Menahan, L. Nelson.
Total 2

Representative Driscoll moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cocchiarella moved the adoption of the committee report.

Representative Kadas made a substitute motion HB 767 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (52-46)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/25/91

Correctly printed: HB 421, HB 466, HB 473, HB 571, HB 681, HB 707, HB 761, HB 895, HB 896, HB 909, HB 917, HB 927, HB 938, HB 968.

Correctly engrossed: HB 110, HB 141, HB 192, HB 271, HB 284, HB 417, HB 470, HB 495, HB 503, HB 504, HB 515, HB 535, HB 549, HB 561, HB 563, HB 570, HB 572, HB 588, HB 595, HB 597, HB 606, HB 607, HB 618, HB 631, HB 642, HB 643, HB 650, HB 655, HB 663, HB 665, HB 671, HB 678, HB 698, HB 700, HB 711, HB 712, HB 719, HB 726, HB 727, HB 730, HB 739, HB 745, HB 747, HB 751, HB 758, HB 768, HB 771, HB 774, HB 776, HB 782, HB 784, HB 785, HB 817, HB 819, HB 825, HB 830, HB 840, HB 846, HB 847, HB 848, HB 854, HB 857, HB 858, HB 860, HB 863, HB 867, HB 870, HB 875, HB 881, HB 893, HB 899, HB 908, HB 918, HB 920, HB 922, HB 936, HB 942, HB 945, HB 948, HB 955, HJR 19, HJR 36, HJR 37, HJR 40, HJR 41.

Signed by the Speaker at 12:20 p.m., 2/23/91: HB 27, HB 53, HB 91, HB 138, HB 140, HB 163, HB 171, HB 175, HB 178, HB 194, HB 205, HB 242, HB 244, SJR 2.

Delivered to the Governor for his approval at 3:35 p.m., 2/25/91: HB 27, HB 53, HB 91, HB 138, HB 140, HB 163, HB 171, HB 175, HB 178, HB 194, HB 205, HB 242, HB 244.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 25, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 14, 22, 318, 323 and 373 on February 24, 1991.

Sincerely,

STAN STEPHENS
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cocchiarella in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 451 - Representative Toole moved HB 451, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 6.

Following: "the infliction"

Strike: " "

Insert: "or"

Following: "attempted infliction"

Strike: " or threatened"

2. Page 2, line 7.

Strike: "infliction by the offender"

Following: "or"

Insert: "the"

Strike: the second "or"

3. Page 2, line 8.

Strike: "threat of any other crime"

Insert: "of a forcible felony"

Following: "offender"

Insert: ";

Strike: "against the victim"

4. Page 2, line 9.

Strike: "or another"

Insert: "(b) the threatened infliction of bodily injury or the threat of a forcible felony by the offender"

5. Page 2, lines 12 and 13.

Strike: "(b)" on line 12

Insert: "(c)"

Following: "of" on line 12

Insert: "substantial"

Following: "action"

Strike: "by the offender" on line 12 through "another" on line 13

Insert: "against a substantial and protected interest of the victim"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,

Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel.

Total 1

Excused: H. S. Hanson.

Total 1

Absent or not voting: Bardanouve.

Total 1

Representative Brooke moved HB 451, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows: (47-53)

Representative Lee moved HB 451, second reading copy, be further amended as follows (amendment #3):

1. Title, line 10.

Strike: "AMENDING"

Insert: "CLARIFYING THE BASIS FOR A PROSECUTION FOR"

2. Title, line 11.

Strike: "27-2-216,"

3. Title, line 12.

Strike: "45-2-101, 45-2-103, 45-2-104,"

4. Title, line 13.

Following: "45-5-504,"

Insert: "45-5-505,"

Following: "45-5-507,"

Insert: "AND"

5. Title, line 14.

Strike: "50-20-109, AND 61-5-405,"

6. Page 7, line 25 through page 36, line 16.

Strike: sections 7 through 12 in their entirety

Renumber: subsequent sections

7. Page 37, line 10.

Following: line 9

Insert: "Section 8. Section 45-5-505, MCA, is amended to read:

"45-5-505. Deviate sexual conduct. (1) A person who knowingly engages in deviate sexual relations or who causes another to engage in deviate sexual relations commits the offense of deviate sexual conduct.

(2) A person convicted of the offense of deviate sexual conduct shall be imprisoned in the state prison for any term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both.

(3) A person convicted of deviate sexual conduct without consent shall be imprisoned in the state prison for any term not to exceed 20 years or be fined an amount not to exceed \$50,000, or both.

(4) The fact that a person seeks testing or receives treatment for the HIV-related virus or another sexually transmitted disease may not be used as a basis for a prosecution under this section and is not admissible in evidence in a prosecution under this section."

Renumber: subsequent section

Amendment #3 passed as follows:

Ayes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Daily, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Madison, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Quilici, J. Rice, Scott, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.

Total 51

Noes: Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCaffree, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stickney, Strizich, Wanzenried, Whalen, Mr. Speaker.

Total 46

Excused: H. S. Hanson.

Total 1

Absent or not voting: Phillips, Toole.

Total 2

Representative Brooke moved HB 451, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson,

Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Bergsagel, Clark, Cromley, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, Knox, Mercer, Messmore, Peterson, Phillips, J. Rice, Spring, Wallin, Whalen.
Total 26

Voted Absentee: H. S. Hanson, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 141 - Representative Harrington moved HB 141 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Cromley, J. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, L. Nelson, T. Nelson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 37

Voted Absentee: H. S. Hanson, No.

Excused: None.
Total 0

Absent or not voting: Clark, R. DeBruycker, Mercer.
Total 3

HB 355 - Representative O'Keefe moved consideration of HB 355 be placed below HB 849 on the second reading board. Motion carried.

HB 192 - Representative Wanzenried moved HB 192 do pass.

Representative Larson made a substitute motion HB 192 do not pass.
Motion failed as follows: (43-56)

Representative Larson made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Larson moved HB 192, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (40-56)

Thereupon, HB 192 passed as follows:

Ayes: Bachini, Bardanouve, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Messmore, T. Nelson, Pavlovich, J. Rice, Simpkins, Spring, Stang, Swysgood, Thomas, Wallin, Zook.
Total 40

Voted Absentee: H. S. Hanson, Aye.

Excused: None.
Total 0

Absent or not voting: J. Brown, Thoft.
Total 2

HB 535 - Representative Toole moved HB 535 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten,

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Keller, Knox, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 44

Voted Absentee: H. S. Hanson, No.

Excused: None.
Total 0

Absent or not voting: Gilbert, Grady, Lee.
Total 3

HB 644 - Representative Peterson moved HB 644, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (42-57)

Representative Ream moved HB 644 do pass.

Representative D. Brown made a substitute motion HB 644 do not pass.
Motion carried as follows:

Ayes: Barnett, Benedict, Bergsagel, D. Brown, Clark, Cobb, Connelly, Daily, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 50

Noes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Galvin, Gervais, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 48

Voted Absentee: H. S. Hanson, Aye.

Excused: None.
Total 0

Absent or not voting: Boharski, Driscoll.
Total 2

Representative D. Brown in the Chair at this time.

HB 955 - Representative Harper moved HB 955 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Benedict, Bergsagel, Boharski, D. Brown, Clark, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas.

Total 30

Excused: H. S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 797 - Representative Russell moved HB 797 do pass.

Representative Mercer made a substitute motion HB 797 do not pass. Motion passed as follows:

Ayes: Bachini, Barnett, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Cromley, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 53

Noes: Bardanouve, Barnhart, Beck, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, McCulloch, Measure, Nisbet, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 45

Voted Absentee: H. S. Hanson, Aye; S. J. Hansen, No.

Excused: None.

Total 0

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Absent or not voting: J. DeBruycker, Menahan.

Total 2

HB 819 - Representative Russell moved HB 819 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, Boharski, Clark, R. DeBruycker, Feland, Gilbert, Spring.

Total 7

Voted Absentee: S. J. Hansen, Aye.

Excused: H. S. Hanson.

Total 1

Absent or not voting: Benedict, Peterson, Thomas.

Total 3

HB 882 - Representative Russell moved HB 882 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Fagg, Feland, Gilbert, Grinde, M. Hanson, Hayne, R. Johnson, Kasten, Knox, Lee, McCaffree, L. Nelson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Wallin.

Total 27

Voted Absentee: S. J. Hansen, Aye.

Excused: H. S. Hanson.

Total 1

Absent or not voting: Mercer, Peterson.

Total 2

HB 346 - Representative Toole moved HB 346 do pass. Motion failed as follows:

Ayes: Barnhart, Becker, Brooke, D. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 43

Noes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Russell, Scott, Simpkins, Spring, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 57

Voted Absentee: S. J. Hansen, Aye; H. S. Hanson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 691 - Representative Toole moved HB 691 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson,

Kasten, Keller, Knox, McCaffree, Mercer, L. Nelson, Peck, Peterson, Phillips, Scott, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 41

Voted Absentee: S. J. Hansen, Aye.

Excused: H. S. Hanson.
Total 1

Absent or not voting: None.
Total 0

HB 461 - Representative Whalen moved HB 461 do pass. Motion failed as follows:

Ayes: Barnhart, D. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, Grady, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 41

Noes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cromley, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 57

Voted Absentee: S. J. Hansen, Aye; H. S. Hanson, No.

Excused: None.
Total 0

Absent or not voting: Bardanouve, Squires.
Total 2

HB 653 - Representative Whalen moved HB 653 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell,

Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Benedict, Boharski, Clark, R. DeBruycker, Ellison, H. S. Hanson, McCaffree, Phillips, Spring, Thomas.
Total 10

Voted Absentee: S. J. Hansen, Aye; H. S. Hanson, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 530 - Representative Brooke moved HB 530 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Boharski, Clark, R. DeBruycker, Ellison, Feland, Kasten, Lee, T. Nelson, Phillips, Simpkins, Spring, Wallin.
Total 12

Voted Absentee: S. J. Hansen, Aye.

Excused: H. S. Hanson.
Total 1

Absent or not voting: Gervais, Strizich.
Total 2

Representative Harrington in the Chair at this time.

HB 475 - Representative Grady moved HB 475 do pass. Motion failed as follows:

Ayes: Bardanouve, Barnett, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Ellis, Fagg, Foster, Grady, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Lee, Madison, Messmore,

Nisbet, Phillips, J. Rice, Simpkins, Stickney, Thomas, Tunby, Whalen, Zook.

Total 33

Noes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Elliott, Ellison, Feland, Forrester, Galvin, Gilbert, Gould, Grinde, S. J. Hansen, M. Hanson, J. Johnson, Kilpatrick, Larson, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Swysgood, Thoft, Toole, Wanzenried, Wyatt, Mr. Speaker.

Total 63

Voted Absentee: S. J. Hansen, No.

Excused: H. S. Hanson, Wallin.

Total 2

Absent or not voting: Gervais, Strizich.

Total 2

Representative D. Brown resumed the Chair at this time.

HB 501 - Representative Measure moved HB 501, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 20.

Following: "~~three~~"

Insert: "the greater of"

Following: "~~\$50~~"

Insert: "or \$50"

2. Page 2, line 6.

Following: "equal to"

Strike: "the greater of"

3. Page 2, line 7.

Strike: "or \$50"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring,

Squires, Stang, Stepler, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Gould.

Total 1

Excused: S. J. Hansen, Wallin.

Total 2

Absent or not voting: D. Brown, Harrington, Stickney, Strizich, Whalen.

Total 5

Representative Schye moved HB 501, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Brooke, Driscoll, Feland, Southworth.

Total 4

Voted Absentee: S. J. Hansen, Aye.

Excused: Wallin.

Total 1

Absent or not voting: Grady.

Total 1

HB 525 - Representative T. Nelson moved consideration of HB 525 be passed for the day. Motion carried.

HB 600 - Representative Driscoll moved HB 600 do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick,

Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Barnett, Benedict, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, M. Hanson, Hayne, Kasten, Keller, Knox, Mercer, Messmore, Phillips, Simpkins, Swysgood, Thoft, Thomas, Tunby.

Total 24

Voted Absentee: S. J. Hansen, Aye.

Excused: Wallin.

Total 1

Absent or not voting: Bardanouve, Grady.

Total 2

HB 636 - Representative Elliott moved HB 636, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 10.

Following: "STATION"

Insert: "which are"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Kasten, Peterson, Swysgood.

Total 3

Excused: S. J. Hansen, Wallin.

Total 2

Absent or not voting: Ellison, Feland, Grady.

Total 3

Representative Elliott moved HB 636, as amended, do pass. Motion failed as follows:

Ayes: Bardanouve, Cobb, Cody, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Foster, Galvin, Gervais, Kadas, Keller, Madison, McCaffree, L. Nelson, Nisbet, O'Keefe, Ream, S. Rice, Russell, Scott, Simpkins, Stang, Tunby, Whalen, Wyatt.

Total 28

Noes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Ellison, Fagg, Feland, Forrester, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Schye, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Wanzenried, Zook, Mr. Speaker.

Total 67

Excused: S. J. Hansen, Wallin.

Total 2

Absent or not voting: J. DeBruycker, J. Rice, Toole.

Total 3

HB 637 - Representative Becker moved HB 637 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stickney, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 60

Noes: Barnett, Benedict, Bergsagel, Clark, Cody, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Knox, L. Nelson, Nisbet, Peterson, Phillips, Schye, Simpkins, Spring, Stang, Stepler, Strizich, Swysgood, Thoft, Tunby, Zook.

Total 37

Voted Absentee: S. J. Hansen, Aye.

Excused: Wallin.

Total 1

Absent or not voting: McCarthy, Menahan.

Total 2

HB 675 - Representative Squires moved HB 675 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 86

Noes: Barnett, Cobb, R. DeBruycker, Feland, Gould, Grinde, Hayne, Kasten, Knox, Phillips, Spring.
Total 11

Excused: S. J. Hansen, Wallin.
Total 2

Absent or not voting: Zook.
Total 1

HB 707 - Representative Menahan moved HB 707, second reading copy, be amended as follows (amendment #1):

1. Title, line 8.
Strike: "SECTION"
Insert: "SECTIONS 7-13-2501,"
Following: "7-13-2502,"
Insert: "AND 7-13-2529,"

2. Page 1, line 23.
Following: line 22
Insert: "Section 3. Section 7-13-2501, MCA, is amended to read:
"7-13-2501. Authorization to create television districts. (1)
Any area of the state may organize as a television district for the performance of functions provided for in this part.
(2) A television translator district may include a part or all of any county or may include areas in more than one county and may include any municipality located within such county or counties.
(3) A television district may not construct or operate an antenna system, commonly known as a cable TV system, in an area already served by a private cable TV company with fewer than 1,000 subscribers."

Section 4. Section 7-13-2529, MCA, is amended to read:
"7-13-2529. Exemption for nonbenefited taxpayers. (1) The taxpayers in the television district who do not receive the signal of

the television translator station or who receive direct reception from the television station from which the television translator repeats a signal or receive service through the medium of a community antenna system on which they are a subscriber in good standing will be exempt from the payment of the tax for the support of the television services of the television district, provided they file an affidavit setting forth any of the grounds above mentioned. Taxpayers in a television district operating a cable TV system are exempt from the tax if they do not receive the cable TV services and they file an affidavit as provided for in this section. The affidavit shall be filed before September 1 with the board of trustees, who shall upon the receipt of such affidavit have the names of such persons so exempted from the tax for television services stricken from the list of taxpayers certified to the board of county commissioners. The exempted persons shall not be liable for such tax.

(2) A similar exemption is available with respect to FM translator services. The procedure provided in subsection (1) shall be utilized for the FM exemption.

(3) Any person or persons who shall make a false or fraudulent claim for exemption as provided in this section shall be guilty of a misdemeanor."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Bergsagel, Clark, Cobb, Cohen, Connelly, Feland, R. Johnson, Schye, Wyatt.
Total 10

Excused: S. J. Hansen, Wallin.
Total 2

Absent or not voting: Grinde.
Total 1

Representative Menahan moved HB 707, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker,

R. DeBruycker, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Thoft, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Connelly, Dolezal, Ellis, Ellison, Fagg, Feland, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Measure, Messmore, T. Nelson, Nisbet, Peterson, Phillips, S. Rice, Schye, Simpkins, Spring, Stepler, Strizich, Swysgood, Thomas, Tunby.

Total 40

Voted Absentee: S. J. Hansen, No.

Excused: Wallin.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 729 - Representative Russell moved HB 729 do pass. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 50

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Tunby, Zook.

Total 48

Voted Absentee: S. J. Hansen, Aye.

Excused: Wallin.

Total 1

Absent or not voting: Cody.

Total 1

HB 788 - Representative Schye moved HB 788 do pass.

Representative Whalen made a substitute motion HB 788 do not pass.
Motion failed as follows: (47-52)

Representative Boharski made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Boharski moved HB 788, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 24.

Following: "state"

Insert: ", except as provided by law,"

2. Page 2, line 4.

Following: "impose"

Strike: "only"

3. Page 2, line 8.

Following: "practice."

Insert: "In addition, the state may impose regulations to prohibit the practice of abortions for the purpose of sex selection."

4. Page 9, line 1.

Following: "MOTHER"

Insert: ", nor may an abortion be performed based on the sex of the unborn child"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Darko, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Schye, Scott, Simpkins, Spring, Stepler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook.

Total 53

Noes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Davis, Dolezal, Dowell, Driscoll, Elliott, Feland, Gervais, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Russell, Southworth, Squires, Stang, Stickney, Toole, Wanzenried, Wyatt, Mr. Speaker.

Total 45

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Forrester, Galvin.

Total 2

Representative Lee moved HB 788, second reading copy, be further amended as follows (amendment #2):

1. Page 7, line 8.

Following: "~~mother's~~"

Strike: "pregnant woman's"

Insert: "mother's"

Following: "~~albeit~~"

Insert: "albeit"

Following: "with"

Strike: "or"

2. Page 7, line 9.

Strike: "without"

3. Page 7, lines 9 and 10.

Following: "aid" on line 9

Strike: remainder of line 9 through "gestation" on line 10

Amendment #2 passed as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, Cody, Ellis, Ellison, Fagg, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, McCarthy, Menahan, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Scott, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook.

Total 53

Noes: Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Gervais, Grady, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCulloch, Measure, L. Nelson, Nisbet, O'Keefe, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.

Total 46

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Galvin.

Total 1

Representative Barnett moved HB 788, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows: (42-56)

Representative Schye moved HB 788, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Quilici, J. Rice, Scott, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook.
Total 47

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman D. Brown moved the adoption of the committee report. Report adopted. (62-36)

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/25/91

SB 99, introduced by Harp
SB 131, introduced by Fritz
SB 136, introduced by T. Beck
SB 169, introduced by Doherty
SB 211, introduced by Harp
SB 221, introduced by Harding
SB 305, introduced by Anderson
SB 313, introduced by Grosfield
SB 314, introduced by Grosfield
SB 318, introduced by Weeding
SB 322, introduced by Fritz
SB 323, introduced by T. Beck
SB 334, introduced by Harding
SB 344, introduced by Pinsoneault
SB 346, introduced by Harp

SB 349, introduced by Harp
SB 355, introduced by T. Beck
SB 356, introduced by T. Beck
SB 357, introduced by T. Beck
SB 360, introduced by Gage
SB 362, introduced by Grosfield
SB 363, introduced by Manning
SB 387, introduced by Thayer
SB 395, introduced by Pinsoneault
SB 398, introduced by Towe
SB 400, introduced by Van Valkenburg
SB 401, introduced by Pipinich
SB 408, introduced by Keating
SB 409, introduced by Mazurek
SJR 22, introduced by Doherty

SB 361, introduced by Thayer, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 2/25/91 to the House with the following vote:

YEAS - 49
NAYS - 0

MOTIONS

Representative Driscoll moved HB 754, HB 876 and HB 968 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 845 be taken from the Committee on Natural Resources and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 953 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Appropriations. Motion carried.

Representative D. Brown moved the House reconsider its action on HB 628 taken on second reading the previous legislative day.

Representative Bradley made a substitute motion to lay on the table the motion to reconsider the action on HB 628. Motion carried.

Representative Connelly moved the rules be suspended to allow her to be recorded as voting yes on HB 192, second reading. Motion carried.

Representative Peck moved HB 784 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Boharski moved the rules be suspended to allow him to be recorded as voting yes on the do not pass motion for HB 797, second reading. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Jennifer Barker, Helena
Dyana Finnegan, Missoula
Hannah Gouse, Hamilton
Katie Kovacich, Anaconda
Colin Meloy, Helena
Stephen Paterson, Billings
Kathy Solberg, Malta
Mario Tognetti, Stevensville
Torin Wallin, Bozeman
Kathirynne Jensen, Polson, Page to Minority Office

Representative Driscoll moved the House adjourn until 8:00 a.m., Tuesday, February 26, 1991. Motion carried.

House adjourned at 10:10 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 26, 1991

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Connelly. Pledge of Allegiance to the Flag.

Roll call. All members present except Hansen, Scott, Whalen, excused. Quorum present.

Representative Driscoll moved the House recess until 9:00 a.m. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 9:05 a.m. Mr. Speaker in the Chair.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 110 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: R. DeBruycker, Whalen.
Total 2

HB 144 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson,

Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 95

Noes: Forrester, Wyatt.

Total 2

Excused: S. J. Hansen.

Total 1

Absent or not voting: Toole, Whalen.

Total 2

HB 169 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Barnett, Beck, Benedict, Brooke, Clark, Cocchiarella, R. DeBruycker, Elliott, Foster, Keller, Messmore, Phillips, Thomas.

Total 13

Excused: S. J. Hansen.

Total 1

Absent or not voting: S. Rice.

Total 1

HB 233 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe,

Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 260 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Barnett, Clark, Cody, Feland, Gilbert, Hayne, R. Johnson, Kasten, Knox, L. Nelson, T. Nelson, Simpkins, Spring, Steppler, Wallin.
Total 15

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 261 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Gould, Grady, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 35

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 271 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Bergsagel, Clark, Cody, Cromley, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Knox, Peterson, Phillips, Spring, Steppler, Tunby.
Total 22

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Benedict, Harrington.
Total 2

HB 284 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cohen, Connelly, Cromley, Daily, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, D. Brown, Cocchiarella, Cody, Darko, Davis, J. DeBruycker, Kilpatrick, Kimberley, McCarthy, Measure, L. Nelson, Nisbet, Stepler.
Total 14

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 351 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Barnett, Beck, Benedict, Bergsagel, Clark, Cobb, Darko, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Keller, Knox, McCaffree, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Tunby, Wallin, Zook.
Total 37

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 470 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 97

Noes: Zook.
Total 1

Excused: S. J. Hansen.
Total 1

Absent or not voting: Bardanouve.
Total 1

HB 494 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, J. Rice, S. Rice, Schye, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 64

Noes: Barnett, Bergsagel, Clark, Cobb, Cody, Cromley, Daily, R. DeBruycker, Ellis, Ellison, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Knox, Measure, L. Nelson, T. Nelson, Peterson, Phillips, Raney, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Whalen, Mr. Speaker.
Total 34

Excused: S. J. Hansen.
Total 1

Absent or not voting: Russell.
Total 1

HB 495 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 503 passed as follows:

Ayes: Bachini, Beck, Becker, Benedict, D. Brown, Cobb, Cocchiarella, Cody, Daily, Darko, Davis, Dolezal, Driscoll, Ellis, Feland, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kilpatrick, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Strizich, Swysgood, Toole, Whalen, Wyatt, Zook.
Total 56

Noes: Bardanouve, Barnett, Barnhart, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cohen, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellison, Fagg, Forrester, Foster, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Lee, Measure, Messmore, T. Nelson, O'Keefe, Peck, Raney, J. Rice, Russell, Stickney, Thoft, Thomas, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 43

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 504 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft,

Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: R. DeBruycker, Hayne, Kasten.

Total 3

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 506 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 515 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich,

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Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen,
Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cody.
Total 1

Excused: S. J. Hansen.
Total 1

Absent or not voting: Harrington.
Total 1

HB 538 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski,
Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly,
Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Galvin, Gervais,
Grady, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley,
Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer,
L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney,
Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,
Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried,
Whalen, Zook, Mr. Speaker.
Total 67

Noes: Bachini, Bergsagel, D. Brown, Cobb, Cromley, J. DeBruycker, R.
DeBruycker, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould,
Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, Knox, McCaffree,
Messmore, Peck, Phillips, Spring, Stepler, Swysgood, Thoft, Thomas,
Wyatt.
Total 31

Excused: S. J. Hansen.
Total 1

Absent or not voting: Hoffman.
Total 1

HB 539 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict,
Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,
Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.
DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,
Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M.
Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas,
Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,
McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore,
L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips,
Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins,
Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: R. DeBruycker, Gilbert.

Total 2

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 549 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bachini, Bergsagel, J. DeBruycker, Kasten.

Total 4

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 559 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney,

Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried,
Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Southworth.
Total 1

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 561 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Menahan, Messmore, Nisbet, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 52

Noes: Barnett, Beck, Becker, Benedict, Bergsagel, Brooke, Clark, Cobb, Cody, Cohen, Connelly, Cromley, R. DeBruycker, Elliott, Ellison, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Madison, McCaffree, Measure, Mercer, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Phillips, J. Rice, Simpkins, Southworth, Spring, Swysgood, Thoft, Thomas, Wanzenried, Whalen, Wyatt.
Total 46

Excused: S. J. Hansen.
Total 1

Absent or not voting: R. Johnson.
Total 1

HB 563 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Clark, Cobb, Daily, O'Keefe, Pavlovich, Peck, Schye.
Total 7

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 572 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Cobb, Cocchiarella, Cody, Daily, J. DeBruycker, Driscoll, Galvin, Kilpatrick, McCulloch, L. Nelson, Pavlovich, Schye, Scott, Southworth, Swysgood, Wanzenried, Whalen.
Total 17

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 576 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Clark.
Total 1

Excused: S. J. Hansen.
Total 1

Absent or not voting: Grady, Phillips, Ream.
Total 3

HB 588 passed as follows:

Ayes: Bachini, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Cohen, Cromley, R. DeBruycker, Elliott, Ellison, Feland, Grinde, H. S. Hanson, Hayne, Kasten, Lee, Mercer, O'Keefe, Peterson, Phillips, Southworth, Swysgood, Thoft, Thomas.
Total 26

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 597 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Harrington, Hayne, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bergsagel, Boharski, Elliott, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, Madison, L. Nelson, Peterson, Spring, Swysgood, Thoft.
Total 16

Excused: S. J. Hansen.
Total 1

Absent or not voting: Keller, Schye, Strizich.

Total 3

HB 605 failed as follows:

Ayes: Barnhart, Becker, Bergsagel, Bradley, Brooke, J. Brown, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dowell, Elliott, Ellis, Fagg, Gervais, Gilbert, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Measure, Menahan, Messmore, L. Nelson, O'Keefe, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stepler, Stickney, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Mr. Speaker.

Total 47

Noes: Bachini, Bardanouve, Barnett, Beck, Benedict, Boharski, D. Brown, Clark, Cobb, Cocchiarella, Daily, R. DeBruycker, Dolezal, Driscoll, Ellison, Feland, Forrester, Foster, Galvin, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Scott, Simpkins, Spring, Stang, Strizich, Swysgood, Wallin, Whalen, Zook.

Total 52

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 606 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 71

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Connelly, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, M. Hanson, Hayne, Hoffman, Kasten, L. Nelson, Peterson, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 26

Excused: S. J. Hansen.

Total 1

Absent or not voting: Mercer, T. Nelson.

Total 2

HB 607 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Barnett, Benedict, Bergsagel, Cody, Cromley, J. DeBruycker, Grinde, H. S. Hanson, Kasten, L. Nelson, Simpkins, Steppler, Wallin.

Total 13

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 618 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 631 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Grinde, R. Johnson, Swysgood, Thoft.

Total 4

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 642 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Barnett, Boharski, Cobb, Feland, M. Hanson, Kasten, Lee, T. Nelson, Simpkins.

Total 9

Excused: S. J. Hansen.

Total 1

Absent or not voting: Ellis, Squires.

Total 2

HB 643 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, S. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 42

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 650 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gould, Grinde, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Barnett, Benedict, Bergsagel, Cromley, R. DeBruycker, Ellison, Feland, Forrester, Gilbert, Grady, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, Knox, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Thoft, Thomas, Wallin, Zook.
Total 27

Excused: S. J. Hansen.
Total 1

Absent or not voting: Bardanouve.
Total 1

HB 655 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Stang, Stepler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bachini, Cromley, Gilbert, H. S. Hanson, Peck, Peterson, Schye, Southworth, Spring, Thoft, Thomas.

Total 11

Excused: S. J. Hansen.

Total 1

Absent or not voting: McCaffree, Squires.

Total 2

HB 663 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, R. DeBruycker, Feland, M. Hanson, Peck, Peterson, Spring.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: Grady.

Total 1

February 26, 1991

HB 665 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergsagel, Cody, Cromley, J. DeBruycker, R. DeBruycker, Feland, Grinde, L. Nelson, Phillips, Steppler.

Total 10

Excused: S. J. Hansen.

Total 1

Absent or not voting: Larson.

Total 1

HB 668 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, Nisbet, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Becker, D. Brown, Cohen, Cromley, Daily, R. DeBruycker, Driscoll, Feland, Harrington, Larson, McCarthy, Measure, Menahan, T. Nelson, O'Keefe, Pavlovich, Scott, Southworth, Whalen.

Total 19

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 678 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Feland, Peck.
Total 2

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 679 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Boharski, R. DeBruycker, Feland, Grinde, M. Hanson, Kasten, Knox, Phillips, Spring, Swysgood, Thoft, Wallin.
Total 13

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 698 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Gilbert, Grinde, R. Johnson, Lee, Messmore, J. Rice, Spring, Wyatt.
Total 12

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 700 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bachini, Cocchiarella, Measure, O'Keefe, Peck, Raney.
Total 6

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 711 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bardanouve, Elliott.

Total 2

Excused: S. J. Hansen.

Total 1

Absent or not voting: Boharski.

Total 1

HB 712 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Barnett, Bergsagel, Boharski, Clark, J. DeBruycker, R. DeBruycker, Ellison, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Mercer, L. Nelson, Peterson, Phillips, Spring, Stepler, Swysgood, Thoft, Wallin.

Total 28

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 719 passed as follows:

Ayes: Barnett, Barnhart, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Strizich, Toole, Tunby, Wanzenried, Whalen.

Total 63

Noes: Bachini, Bardanouve, Beck, Becker, Benedict, Bergsagel, Boharski, Clark, Cocchiarella, Cromley, Ellison, Fagg, Feland, Gilbert, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Measure, Mercer, Messmore, T. Nelson, Peck, Stickney, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook, Mr. Speaker.

Total 36

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 724 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Boharski, Cobb, R. DeBruycker, Feland, Grinde, J. Rice.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 730 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 66

Noes: Barnett, Barnhart, Benedict, Bradley, Clark, Cromley, Ellis, Ellison, Fagg, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Thomas, Tunby, Wallin, Zook.
Total 34

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 751 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Connelly, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Becker, D. Brown, Cocchiarella, Cohen, Cromley, Daily, J. DeBruycker, Driscoll, Ellison, Harrington, Kimberley, Measure, L. Nelson, Pavlovich, Scott, Southworth, Whalen.
Total 17

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 765 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Boharski, Clark, R. DeBruycker, Ellis, Ellison, Feland, Foster, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, Mercer, T. Nelson, Peck, Simpkins, Swysgood, Thoft, Tunby.

Total 24

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 771 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: Galvin.

Total 1

HB 840 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 846 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, M. Hanson, Harrington, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 89

Noes: R. DeBruycker, Feland, Grinde, H. S. Hanson, Hayne, R. Johnson, Spring, Wallin.

Total 8

Excused: S. J. Hansen.

Total 1

Absent or not voting: Benedict, Zook.

Total 2

HB 857 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, Harrington, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Barnett, Bergsagel, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Wallin, Zook.
Total 28

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 918 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Barnett, Cody, J. DeBruycker, R. DeBruycker, Ellison, Feland, M. Hanson, Kasten, L. Nelson, Peterson.
Total 10

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 924 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Barnett, Benedict, Bergsagel, Cobb, Cody, R. DeBruycker, Ellis, Ellison, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Keller, McCaffree, L. Nelson, Phillips, Spring, Stepler, Swysgood, Thoft.

Total 22

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 141 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 72

Noes: Bardanouve, Barnett, Bergsagel, Boharski, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellison, Feland, Forrester, Foster, Gilbert, Grinde, M. Hanson, Hayne, Kasten, Keller, Knox, L. Nelson, T. Nelson, Phillips, Spring, Stepler, Swysgood, Tunby, Wallin, Zook.

Total 28

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 192 passed as follows:

Ayes: Bachini, Bardanouve, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Barnhart, Beck, Benedict, Bergsagel, Clark, Cobb, Cromley, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gould, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Messmore, T. Nelson, Pavlovich, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 40

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 417 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 92

Noes: Bardanouve, Cody, Cromley, Forrester, Whalen, Wyatt.
Total 6

Excused: S. J. Hansen.
Total 1

Absent or not voting: Ellis.
Total 1

HB 451 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Barnett, Bergsagel, Boharski, Cromley, R. DeBruycker, Ellis, Forrester, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Peck, Phillips, J. Rice, Scott, Spring, Wallin, Whalen.

Total 24

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 501 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Brooke, Southworth.

Total 2

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 530 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Boharski, Clark, R. DeBruycker, Ellison, Feland, Gilbert, Gould, Kasten, Lee, T. Nelson, Peterson, Simpkins, Spring, Wallin.

Total 14

Excused: S. J. Hansen.

Total 1

Absent or not voting: Schye.

Total 1

HB 535 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Zook.

Total 45

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 570 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bachini, Bergsagel, Stang.

Total 3

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 600 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, Knox, Mercer, Messmore, T. Nelson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin.

Total 31

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 637 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stickney, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 55

Noes: Bachini, Barnett, Benedict, Bergsagel, D. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Knox, Mercer, L. Nelson, Nisbet, Peck, Peterson, Phillips, Schye, Simpkins, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 44

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 638 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Ellis.

Total 1

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 646 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.
Total 1

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 653 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Bachini, Benedict, Boharski, R. DeBruycker, H. S. Hanson, McCaffree, Peck, Spring, Wallin.
Total 9

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 659 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Wyatt.
Total 2

Excused: S. J. Hansen.
Total 1

Absent or not voting: Ellison.
Total 1

HB 671 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Gervais, Gilbert, Grady, Grinde, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Benedict, Bergsagel, D. Brown, Cobb, Cody, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Fagg, Feland, Foster, Galvin, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, McCaffree, McCarthy, Mercer, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Zook.
Total 37

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 675 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Barnett, Cobb, R. DeBruycker, Ellison, Gould, Hayne, Kasten, Knox, Mercer, Spring.

Total 10

Excused: S. J. Hansen.

Total 1

Absent or not voting: Daily.

Total 1

HB 691 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 60

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Madison, McCaffree, Mercer, Peck, Peterson, Phillips, Schye, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Wallin, Zook.

Total 39

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 706 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cody, R. DeBruycker, Ellis, Kasten.
Total 4

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 707 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Forrester, Foster, Gervais, Gilbert, Grady, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Connelly, Dolezal, Ellis, Ellison, Fagg, Feland, Galvin, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Messmore, T. Nelson, Nisbet, Peterson, Phillips, S. Rice, Schye, Simpkins, Spring, Stepler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin.
Total 42

Voted Absentee: S. J. Hansen, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 726 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 729 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 54

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 45

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 739 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Cody, R. DeBruycker, Scott, Whalen.
Total 5

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 745 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 747 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Daily, Gould, Kilpatrick, Pavlovich.
Total 4

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 758 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 34

Excused: S. J. Hansen.
Total 1

Absent or not voting: S. Rice.
Total 1

HB 768 failed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Gervais, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stickney, Toole, Wanzenried, Whalen, Mr. Speaker.

Total 49

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cody, Cromley, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Simpkins, Spring, Stang, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.

Total 50

Voted Absentee: S. J. Hansen, No.

Excused: None.

Total 0

Absent or not voting: Strizich.

Total 1

HB 774 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Barnett, Bergsagel, J. DeBruycker, Measure, Tunby.

Total 5

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 776 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bachini, Cohen, Darko, J. DeBruycker, Driscoll, Measure, Menahan, L. Nelson, Peck, Raney, Southworth.
Total 11

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 782 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cobb, Cody, J. DeBruycker, Hoffman, McCaffree.
Total 5

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Ellis.
Total 1

HB 785 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: Ellis.
Total 1

HB 788 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, Quilici, J. Rice, Scott, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Zook.
Total 47

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 791 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: S. Rice.

Total 1

HB 812 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: R. DeBruycker, Spring, Wallin.

Total 3

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 817 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker, Gilbert.
Total 2

Excused: S. J. Hansen.
Total 1

Absent or not voting: Daily, Kadas.
Total 2

HB 819 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski, Clark, R. DeBruycker, Feland, Gilbert.
Total 5

Excused: S. J. Hansen.
Total 1

Absent or not voting: Benedict, Schye.
Total 2

HB 825 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bardanouve, Brooke, Gervais, Peck, Russell, Southworth, Steppler.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 847 passed as follows:

Ayes: Bachini, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bardanouve, Barnett, Barnhart, Bradley, Kadas, Measure, T. Nelson.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 848 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: H. S. Hanson, Peck.
Total 2

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 854 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 858 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cody, R. DeBruycker, Peck.

Total 3

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 860 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Steppler, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 59

Noes: Barnett, Becker, Benedict, D. Brown, Clark, Cobb, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellison, Feland, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Madison, McCaffree, McCulloch, T. Nelson, Pavlovich, Peterson, Phillips, Simpkins, Squires, Stang, Stickney, Swysgood, Thoft, Wallin, Zook.

Total 39

Excused: S. J. Hansen.

Total 1

Absent or not voting: Ellis.

Total 1

HB 863 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: R. DeBruycker, T. Nelson, Peck.
Total 3

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 867 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Barnett, Benedict, Cody, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Feland, Grinde, Hoffman, Kasten, Knox, L. Nelson, Peck, Phillips, Scott, Stang, Stepler, Swysgood, Thoft.
Total 20

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 870 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 875 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Barnett, Benedict, Bergsagel, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, Hayne, Kasten, Knox, Lee, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Wallin.
Total 20

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 881 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 882 passed as follows:

Ayes: Bachini, Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Gould, Grady, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 64

Noes: Barnett, Barnhart, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, Peterson, Phillips, Simpkins, Spring, Steppier, Swysgood, Thoft, Thomas, Tunby, Wallin.
Total 35

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 893 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 96

Noes: Stang, Wyatt.

Total 2

Excused: S. J. Hansen.

Total 1

Absent or not voting: Squires.

Total 1

HB 899 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 85

Noes: Bergsagel, Cody, J. DeBruycker, R. DeBruycker, Feland, Grinde, Kasten, L. Nelson, T. Nelson, Peterson, Simpkins, Swysgood, Zook.

Total 13

Excused: S. J. Hansen.

Total 1

Absent or not voting: Menahan.

Total 1

February 26, 1991

HB 902 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 908 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Ellis, Feland, Hayne, Hoffman, Kasten, Keller, Spring.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 915 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: R. DeBruycker, Gervais, Measure.

Total 3

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 920 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Daily, Whalen.

Total 2

Excused: S. J. Hansen.

Total 1

Absent or not voting: Feland.

Total 1

HB 922 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Galvin, Gervais, Grady, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Mr. Speaker.

Total 65

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Knox, Measure, Mercer, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Whalen, Wyatt, Zook.

Total 34

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 926 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 930 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 942 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

HB 943 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: McCaffree.

Total 1

Excused: S. J. Hansen.

Total 1

Absent or not voting: Whalen.

Total 1

HB 945 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 948 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Clark.

Total 1

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HB 955 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 62

Noes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Cohen, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Lee, McCarthy, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas.

Total 38

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 957 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: Pavlovich.

Total 1

HJR 19 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bradley, Daily, Forrester, Measure, Raney, Schye, Stang.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HJR 34 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Clark, R. DeBruycker, Fagg, Feland, Gilbert, Hayne, Kasten, Stepler, Swysgood.

Total 9

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HJR 36 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 93

Noes: Bergsagel, R. DeBruycker, M. Hanson, Knox, Spring, Zook.

Total 6

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

HJR 37 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Feland.
Total 1

Excused: S. J. Hansen.
Total 1

Absent or not voting: Knox, Phillips.
Total 2

HJR 38 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker.
Total 1

Excused: S. J. Hansen.
Total 1

Absent or not voting: Feland.
Total 1

HJR 40 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: Grady.

Total 1

HJR 41 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/26/91
Correctly engrossed: HB 451, HB 501, HB 530, HB 600, HB 637, HB 653,
HB 675, HB 691, HB 707, HB 729, HB 788, HB 882.

MOTIONS

Representative R. Johnson moved he be allowed to change his vote on HB 538, third reading, from no to yes. Motion carried.

Representative Wanzenried moved the rules be suspended to allow him to be recorded as voting yes on HB 271, third reading. Motion carried.

Representative Dowell moved he be allowed to change his vote on HB 503, third reading, from yes to no. Motion carried.

Representative Foster moved he be allowed to change his vote on HB 650, third reading, from no to yes. Motion carried.

Representative Toole moved the rules be suspended to allow him to be recorded as voting yes on HJR 40, third reading. Motion carried.

Representative Ream moved the House reconsider its action on HB 644 taken on second reading the previous legislative day. Motion carried.

Representative Russell moved the House reconsider its action on HB 797 taken on second reading the previous legislative day. Motion carried.

Representative Toole moved the House reconsider its action on HB 346 taken on second reading the previous legislative day. Motion failed.

Representative Grinde moved to suspend House rule 40-170(1) to allow him to present two bills he is sponsoring during second reading this legislative day. Motion carried.

Representative Fagg moved HB 40 be taken from the table from the Committee on State Administration and be printed and placed on second reading this legislative day. Motion failed.

Representative Driscoll moved consideration of HB 364 and HB 525 be passed for the day. Motion carried.

Representative Driscoll moved consideration of HJR 25 be passed for the day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried.
Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 355 - Representative O'Keefe moved HB 355 do pass.

Representative O'Keefe made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative O'Keefe moved HB 355, second reading copy, be amended as follows (amendment #1):

1. Page 3, lines 18 and 19.

Following: "\$2,000" on line 18

Strike: remainder of line 18 through "minor" on line 19

Amendment #1 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.

Total 90

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: Bardanouve, Barnett, Ellis, McCarthy, McCulloch, Messmore, Stang, Wanzenried, Mr. Speaker.

Total 9

Representative O'Keefe moved HB 355, second reading copy, be further amended as follows (amendment #2):

1. Title, lines 13 and 14.

Strike: from "PROHIBITING" on line 13 through "LAW;" on line 14

2. Page 1, line 20.

Strike: "(1)"

3. Page 2, line 7.

Strike: "(1)(a)(ii)"

Insert: "(1)(b)"

Strike: "~~(1)(b)(i)~~"

Insert: "(2)(a)"

Strike: "~~(1)(b)(ii)~~"

Insert: "(2)(b)"

4. Page 2, line 8.

Strike: "~~(1)(b)(iv)~~"

Insert: "(2)(d)"

5. Page 2, line 10.

Strike: "~~(a)~~"

Insert: "(1)"

6. Page 2, line 15.

Strike: "~~(i)~~"

Insert: "(a)"

7. Page 2, line 17.

Strike: "~~(ii)~~"

Insert: "(b)"

8. Page 2, line 22.

Strike: "~~(A)~~"

Insert: "(i)"

9. Page 2, line 24.

Strike: "~~(B)~~"

Insert: "(ii)"

10. Page 3, line 1.

Strike: "~~(b)~~"

Insert: "(2)"

11. Page 3, line 6.

Strike: "~~(i)~~"

Insert: "(a)"

12. Page 3, line 13.

Strike: "~~(ii)~~"

Insert: "(b)"

13. Page 3, line 20.

Strike: "~~(iii)~~"

Insert: "(c)"

14. Page 3, line 23.

Strike: "~~(iv)~~"

Insert: "(d)"

15. Page 4, line 3.

Strike: "~~(A)~~"

Insert: "(i)"

16. Page 4, line 5.

Strike: "(B)"

Insert: "(ii)"

17. Page 4, line 17.

Strike: "(2)"

18. Page 4, line 21 through page 5, line 2.

Strike: from "AN INSURER" on line 21 through "PART." on page 5, line 2.

Amendment #2 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: Spring.

Total 1

Representative O'Keefe moved HB 355, as amended, do pass. Motion failed as follows:

Ayes: Bardanoue, Barnhart, Becker, Bradley, Brooke, Cohen, Darko, Dowell, Elliott, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Messmore, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Southworth, Stickney, Strizich, Toole, Whalen, Mr. Speaker.

Total 34

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCarthy, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Scott, Simpkins,

Spring, Squires, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 66

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 573 - Representative J. Rice moved consideration of HB 573 be placed at the bottom of the second reading board. Motion carried.

HB 767 - Representative Measure moved HB 767, second reading copy, be amended as follows (amendment #1):

1. Title, lines 6 and 7.
Following: "DEPOSITS;"
Strike: remainder of line 6 through "DEPOSITS;" on line 7

Page 7, lines 5 through 8.
Strike: section 7 in its entirety
Renumber: subsequent section

2. Page 7, line 10 through page 8, line 4.
Strike: section 6 in its entirety
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cobb, Forrester, Grinde.
Total 3

Excused: S. J. Hansen.
Total 1

Absent or not voting: Thoft.

Total 1

Representative Measure moved HB 767, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Gervais, M. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 63

Noes: Bachini, Barnett, Bergsagel, Clark, Cobb, Cody, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Knox, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thomas, Wallin.

Total 35

Voted Absentee: S. J. Hansen, No.

Excused: None.

Total 0

Absent or not voting: Thoft, Tunby.

Total 2

HB 815 - Representative Lee moved HB 815 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Grinde, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, Measure, Menahan, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 64

Noes: Bachini, Barnett, Beck, Bergsagel, Cobb, Cody, Connelly, Cromley, Daily, J. DeBruycker, R. DeBruycker, Feland, Foster, Gould, Grady, H. S. Hanson, Hoffman, Kasten, Keller, Knox, McCaffree, McCulloch, Mercer, Nisbet, Pavlovich, Phillips, Scott, Simpkins, Stang, Swysgood, Thomas, Tunby, Zook.

Total 33

Excused: S. J. Hansen.
Total 1

Absent or not voting: Ellis, Thoft.
Total 2

HB 821 - Representative Toole moved HB 821, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 15.
Following: "ores"
Insert: "supplying mines, mills, and smelters for the reduction of ores"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Cromley, Daily, Hoffman, J. Johnson, Pavlovich, Zook.
Total 6

Excused: S. J. Hansen.
Total 1

Absent or not voting: Connelly, Gould, Grinde, R. Johnson, Kasten, Lee, S. Rice, Thoft.
Total 8

Representative Toole moved HB 821, as amended, do pass. Motion failed as follows:

Ayes: Bardanoue, Barnhart, Becker, Bradley, Brooke, Cobb, Cocchiarella, Cohen, Connelly, J. DeBruycker, Dolezal, Dowell, Elliott, Gervais, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCulloch, Measure, L. Nelson, Raney, Ream, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Toole, Whalen, Wyatt, Mr. Speaker.
Total 38

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cody, Cromley, Daily, Darko, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Madison, McCarthy, Menahan, Mercer,

Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Simpkins, Spring, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 61

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Driscoll.
Total 1

HB 836 - Representative Driscoll moved HB 836 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 65

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cromley, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin.
Total 35

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 837 - Representative Driscoll moved HB 837 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch,

Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 853 - Representative Driscoll moved HB 853, second reading copy, be amended as follows (amendment #1):

1. Title, line 9.

Following: "COMMISSIONERS"

Insert: "REQUIRING THE APPOINTMENT OR ELECTION OF LOCAL PORT AUTHORITY COMMISSIONERS;"

2. Title, line 11.

Following: "~~7-14-1103,~~"

Insert: "7-14-1101, 7-14-1103,"

3. Page 3.

Following: line 22

Insert: "Section 1. Section 7-14-1101, MCA, is amended to read:

"7-14-1101. Local port authority. (1) Any county or municipality may, by resolution of its governing body, create a public body, corporate and politic, to be known as a local port authority, authorized to exercise its functions upon the appointment and qualification of the first commissioners thereof. Such a governing body may by resolution determine to exercise any or all powers granted to such authorities in this part, unless such powers have been conferred upon a local or regional port authority.

(2) Upon the adoption of a resolution creating a local port authority, the governing body of the county or municipality shall, pursuant to the resolution, appoint not less than five persons as commissioners of the authority. The commissioners who are first appointed must be designated to serve for terms of 1, 2, 3, 4, and 5 years, respectively, but thereafter each commissioner must be appointed or elected for a term of 5 years, except that vacancies occurring other than by expiration of a term must be filled for the unexpired term by the governing body."

NEW SECTION. Section 2. Election of local port authority commissioners. (1) Any registered elector in the county or

municipality in which the local port authority is located may file a petition of candidacy with the election administrator. The petition must contain the signatures of not less than 25 registered electors of the county or municipality. The petition must be filed at least 75 days before the election day.

(2) The election must be conducted at the time provided in 13-1-104(3) and in the manner provided by 13-1-401.

(3) If no nomination petitions are filed for one or more commissioner offices, the appropriate local governing body shall appoint one or more commissioners as necessary to fill those offices.

Section 3. Section 7-14-1103, MCA, is amended to read:

"7-14-1103. Commissioners. (1) The powers of each authority are vested in the commissioners thereof. A majority of the commissioners of an authority constitutes a quorum for the purpose of conducting business of the authority and exercising its powers for all other purposes. Action may be taken by the authority upon a vote of not less than a majority of the commissioners present.

(2) There must be elected a chairman and vice-chairman from among the commissioners. An authority may employ an executive director, secretary, technical experts, and such other officers, agents, and employees, permanent and temporary, as it may require and shall determine their qualifications, duties, and compensation. An authority may delegate to one or more of its agents or employees such powers or duties as it considers proper.

(3) A commissioner of an authority is entitled to receive expenses, as provided in 2-18-501 through 2-18-503, incurred in the discharge of his duties. Each commissioner shall hold office until his successor has been appointed or elected and has qualified. The certificates of the appointment, ~~and~~ reappointment, or election of commissioners must be filed with the authority."

Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardonouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cromley, Feland, Simpkins.
Total 3

Excused: S. J. Hansen.
Total 1

Absent or not voting: None.
Total 0

Representative Scott moved HB 853, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Bachini, Barnett, Benedict, Boharski, Cobb, R. DeBruycker, Elliott, S. J. Hansen, Kasten, Peck, Peterson, Simpkins, Wyatt.
Total 13

Voted Absentee: S. J. Hansen, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 116 - Representative Cody moved HB 116, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 4.

Following: "board"

Insert: ", the Legislature nonetheless affirms its support of gifted and talented education and encourages local school districts to identify gifted and talented students and design and implement programs that meet the needs of those students"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,

Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: Boharski, Harrington.

Total 2

Representative Cody moved HB 116, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.

Total 69

Noes: Barnhart, Beck, Brooke, D. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Dolezal, Dowell, Elliott, Gervais, S. J. Hansen, Harrington, J. Johnson, McCaffree, McCulloch, Measure, Menahan, O'Keefe, Raney, Ream, S. Rice, Schye, Scott, Stang, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 31

Voted Absentee: S. J. Hansen, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 473 - Representative Toole moved consideration of HB 473 be placed at the bottom of the second reading board. Motion carried.

HB 641 - Representative Knox moved HB 641, second reading copy, be amended as follows (amendment #1):

1. Page 3, lines 3 through 5.

Following: "AREA"

Strike: the remainder of line 3 through "area" on line 5

Amendment #1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 93

Noes: Cohen, Ream, Stepler, Wanzenried, Wyatt.
Total 5

Excused: S. J. Hansen.
Total 1

Absent or not voting: Bachini.
Total 1

Representative Knox moved HB 641, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Clark, R. Johnson.
Total 2

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: D. Brown, Driscoll.

Total 2

HB 681 - Representative J. Rice moved HB 681 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Bachini, Bardanoue, Bergsagel, Boharski, Cobb, Cody, J. DeBruycker, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, Kasten, Knox, Madison, Measure, L. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft.

Total 26

Excused: S. J. Hansen.

Total 1

Absent or not voting: D. Brown, Driscoll.

Total 2

HB 703 - Representative Bradley moved HB 703, second reading copy, be amended as follows (amendment #1):

1. Title, line 12.

Following: "90-3-504,"

Insert: "90-3-501,"

2. Page 10, line 1.

Following: page 9

Insert: "Section 2. Section 90-3-501, MCA, is amended to read:

"90-3-501. Science and technology development project -- priorities. (1) The board shall make a loan for a science and technology development project if it determines that the project has potential to stimulate economic development in this state and meets the loan criteria established in this chapter.

(2) The board shall give priority to project proposals that it determines incorporate innovative technologies and involve, but are not limited to, one or more of the following target technologies:

(a) mineral technology;

- (b) agricultural technology;
 - (c) forestry technology;
 - (d) energy technology;
 - (e) materials sciences;
 - (f) information sciences;
 - (g) biotechnology;
 - (h) microelectronics and computer sciences; or
 - (i) hazardous waste treatment and disposal.
- (3) The board may use up to 25% of the funds for seed capital project loans to make seed capital project loans that do not address the innovative technologies listed in subsection (2)."

Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Excused: S. J. Hansen.
Total 1

Absent or not voting: D. Brown, Driscoll, Whalen, Wyatt.
Total 4

Representative Bradley moved HB 703, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney,

Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried,
Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb, Gilbert, Simpkins.
Total 3

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Peck.
Total 1

HB 735 - Representative Measure moved HB 735 do pass. Motion carried
as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D.
Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis,
J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Gervais, S. J. Hansen,
Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson,
Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet,
O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye,
Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Wanzenried,
Whalen, Mr. Speaker.
Total 56

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Cody, Cromley, R.
DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert,
Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson,
Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson,
Peterson, Phillips, Quilici, Simpkins, Spring, Stang, Stepler, Swysgood,
Thoft, Tunby, Wallin, Wyatt, Zook.
Total 44

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise, report progress and beg
leave to sit again. Motion carried. Committee arose. House resumed. Mr.
Speaker in the Chair. Chairman Swysgood moved the adoption of the
committee report. Report adopted. (84-9)

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (J. Brown, Chairman):
HB 794, introduced bill, do pass. Report adopted.

2/26/91

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 973, introduced by Stang, Svrcek, O'Keefe, Tunby, Bruski, Nathe, Doherty, McCulloch, referred to Committee on Natural Resources

SPECIAL ORDERS OF THE DAY

The Honorable Mike Cooney
Secretary of State
State of Montana
Helena, Montana 59620

February 3, 1991

Dear Mr. Cooney,

We received the copies of Senate Joint Resolution Number 5 in today's mail. I distributed them to each of the members of our unit, the 370th QM BN (WS).

I cannot tell you exactly where we are located. But I can tell you that no matter where a Montanan goes, support from home such as we just received, is always welcome.

The men and women of this unit who left Great Falls, and many other Montana cities, in September of 1990, are doing what has been asked of them in Saudi Arabia. All will welcome the opportunity to return to the Big Sky Country.

Please convey our thank you to the legislature for their concern, thoughts and prayers, for those of us in the Persian Gulf. The Montana State flag is proudly displayed in our Headquarters. A further reminder of our great State.

Sincerely,

Patrick E. McKelvey
Command Sergeant Major
370th QM BN (WS)

Representative Driscoll moved the House recess until 2:10 p.m. Motion carried.

House recessed at 1:10 p.m.

House reconvened at 2:15 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative J. Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 761 - Representative Harper moved HB 761, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.

Strike: "AND"

Following: "DISCLOSURE"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE"

2. Page 5.

Following: line 15

Insert: "NEW SECTION. Section 6. Retroactive applicability. [Sections 1 through 3] apply retroactively, within the meaning of 1-2-109, to persons convicted prior to [the effective date of this act] who are, at the time a test is sought, in jail, prison, or other incarceration; on probation or parole; or otherwise still under state supervision for a sexual offense defined in 46-23-502.

NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Becker.

Total 1

Excused: S. J. Hansen.

Total 1

Absent or not voting: D. Brown.

Total 1

Representative Peck moved HB 761, as amended, do pass.

Representative Boharski made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Boharski moved HB 761, second reading copy, be further amended as follows (amendment #2):

1. Title, line 7 and 8.

Following: "THE" on line 7

Strike: "CONVICTED PERSON AND THE"

2. Page 2, line 3.

Strike: "OF THE CONVICTED PERSON AND"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: J. Rice.

Total 1

Thereupon, HB 761, as amended, passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick,

Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 800 - Representative Swysgood moved HB 800 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 96

Noes: Mr. Speaker.

Total 1

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Benedict, Ellison, Larson.

Total 3

HB 831 - Representative J. Brown moved HB 831 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal,

Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 89

Noes: Barnett, Daily, R. DeBruycker, Ellison, McCaffree, Menahan, Pavlovich, Peterson, Stang, Wyatt.
Total 10

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: S. Rice.
Total 1

HB 838 - Representative Southworth moved HB 838, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 6.
Strike: "January 1"
Insert: "July 1"

2. Page 4, line 22.
Strike: "January 1"
Insert: "July 1"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Ellison, Feland.
Total 2

Excused: S. J. Hansen.
Total 1

Absent or not voting: Gilbert, Madison, S. Rice, Spring.
Total 4

Representative Southworth moved HB 838, as amended, do pass. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Madison, McCulloch, Measure, Messmore, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 46

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, J. Rice, Schye, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 50

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: J. Brown, Grady, McCarthy, Menahan.
Total 4

HB 849 - Representative Bradley moved HB 849 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Bachini, Barnett, Benedict, D. Brown, Cobb, Connelly, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Feland, Foster, Galvin, Harrington, Kasten, Knox, Nisbet, Pavlovich, Peck, Phillips, Quilici, Scott, Simpkins, Southworth, Spring, Swysgood, Wallin, Zook.
Total 28

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Ellison, Messmore.

Total 2

HB 862 - Representative Bradley moved HB 862 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Lee, Madison, McCulloch, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Phillips, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Spring, Squires, Stang, Stickney, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Bachini, Beck, D. Brown, Cocchiarella, Cody, Daily, J. DeBruycker, Driscoll, Ellison, Feland, Forrester, Gervais, Harrington, Kimberley, Larson, McCaffree, McCarthy, Measure, Menahan, L. Nelson, Pavlovich, Peck, Peterson, Quilici, Russell, Scott, Southworth, Stepler, Strizich, Swysgood, Whalen.

Total 31

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 887 - Representative Whalen moved HB 887 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 52

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Cody, Cromley, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne,

Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 48

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 888 - Representative L. Nelson moved HB 888 do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 83

Noes: Bachini, Bardanouve, Benedict, Clark, Cocchiarella, Galvin, Hoffman, Kadas, Nisbet, Peck, Phillips, Southworth, Squires, Stang, Strizich, Wyatt, Zook.
Total 17

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 891 - Representative Stickney moved HB 891 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck,

Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Clark, Cobb, Cromley, Ellis, Ellison, Feland, Foster, Hayne, Kasten, Phillips, Simpkins.

Total 11

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: D. Brown, Driscoll.

Total 2

HB 895 - Representative J. Brown moved HB 895 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cromley, Ellison, Raney, Swysgood.

Total 4

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 896 - Representative Peterson moved HB 896 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bachini, Bergsagel, Feland, Gilbert, McCaffree, O'Keefe, Peck, Stang, Steppler, Swysgood.

Total 10

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Swysgood in the Chair at this time.

HB 912 - Representative Toole moved HB 912, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (33-61)

Representative Toole moved HB 912 do pass. Motion failed as follows:

Ayes: Bardanouve, Barnhart, Becker, Benedict, Boharski, Bradley, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, Kilpatrick, Kimberley, Larson, Lee, Measure, T. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Squires, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 46

Noes: Bachini, Barnett, Beck, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Knox, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, Pavlovich, Peterson, Phillips, Quilici, Scott, Southworth, Spring, Stang, Steppler, Swysgood, Thoft, Tunby, Wallin, Zook.

Total 54

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 917 - Representative Toole moved HB 917 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 98

Noes: Wyatt.
Total 1

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Ream.
Total 1

HB 927 - Representative Harrington moved HB 927, third reading copy, be amended as follows (amendment #1):

Title, line 6.
Strike: "AN ASSESSMENT"
INSERT: "A REASSESSMENT"

Title, lines 7 through 12.
Following: "RELIEF;" on line 7
Strike: remainder of line 7 through "DEPENDENCY;" on line 12

1. Page 6, line 6.
Strike: "assessment"
Insert: "reassessment"
Strike: "(1)"

2. Page 6, line 7.
Strike: "an assessment"
Insert: "a reassessment"

3. Page 6, line 9.

Strike: "classified"

Insert: "reclassified"

Following: "unemployable"

Insert: "or should remain classified as having serious barriers to employment and benefits extended"

4. Page 6, line 10.

Strike: "assessment"

Insert: "reassessment"

5. Page 6, line 13 through page 7, line 3.

Strike: subsections (2) through (4) in their entirety

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Cromley, R. DeBruycker, Feland, M. Hanson, Kasten, Peterson.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: Lee.

Total 1

Representative Harrington moved HB 927, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Lee, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 40

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Kadas, Mercer.
Total 2

HB 938 - Representative R. Johnson moved HB 938 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Becker, Gilbert, Thoft, Whalen.
Total 4

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Kimberley, Toole.
Total 2

HB 952 - Representative Raney moved HB 952 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, M. Hanson, Harrington, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell,

Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Feland, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, J. Johnson, Kasten, McCaffree, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Spring, Swysgood, Thoft, Thomas, Zook.
Total 26

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Lee.
Total 1

HB 962 - Representative Boharski moved HB 962 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Measure.
Total 1

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Cocchiarella.
Total 1

HJR 26 - Representative Peck moved consideration of HJR 26 be passed for the day. Motion carried.

HJR 31 - Representative Raney moved HJR 31 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Kasten, Simpkins, Spring, Swysgood, Thoft, Thomas.
Total 11

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Cromley.
Total 1

HJR 32 - Representative Russell moved HJR 32 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 76

Noes: Barnett, Bergsagel, Clark, Cobb, R. DeBruycker, Feland, Foster, Gilbert, H. S. Hanson, Hayne, Hoffman, Kasten, Knox, Peterson, Simpkins, Spring.
Total 16

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: Benedict, Boharski, Ellison, McCarthy, Menahan, Mercer, Pavlovich, Zook.

Total 8

HB 37 - Representative Davis moved HB 37 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Foster, Galvin, Gould, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Scott, Southworth, Spring, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Bardanouve, Bergsagel, Clark, Cody, Cohen, Ellis, Ellison, Fagg, Forrester, Gervais, Gilbert, Grady, H. S. Hanson, Hayne, Hoffman, R. Johnson, McCaffree, McCulloch, T. Nelson, Peterson, Russell, Schye, Simpkins, Squires, Stang, Steppler, Strizich, Wanzenried, Whalen.

Total 29

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Brooke.

Total 1

HB 421 - Representative Hoffman moved HB 421 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Spring, Swysgood.

Total 2

HB 571 - Representative J. Rice moved HB 571 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: D. Brown, J. DeBruycker, R. DeBruycker, Driscoll, McCaffree, L. Nelson, O'Keefe, Scott, Southworth.

Total 9

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 500 - Representative Whalen moved HB 500, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 15.

Following: ":"

Insert: ":"

2. Page 1, line 16.

Following: "{a}"

Insert: "(a)"

3. Page 1, line 18.

Following: "and"

Insert: "and"

4. Page 1, lines 18 and 19.

Following: "auditor,"

Strike: "STATE ARCHITECT, AND THE DIRECTOR OF THE MONTANA HISTORICAL SOCIETY,"

5. Page 1, line 23.

Following: "sector"

Strike: remainder of line 23

6. Page 1, line 25.

Following: line 24

Insert: "(b) the director of the Montana historical society and the state architect, who shall serve on the committee and assist the committee with technical support."

7. Page 1, line 25.

Following: "president,"

Insert: "and in his absence the secretary of state shall preside,"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: D. Brown, Driscoll, Ellison, Hoffman, Zook.

Total 5

Representative Whalen moved HB 500, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy,

McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Ellison, Gilbert, H. S. Hanson, Kasten, Simpkins.
Total 6

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 536 - Representative Bradley moved HB 536 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: S. Rice, Simpkins.
Total 2

HB 466 - Representative Bachini moved HB 466 do pass.

Representative Kadas made a substitute motion HB 466 do not pass. Motion failed as follows: (43-56)

Thereupon, HB 466 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Madison, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Wyatt, Zook.

Total 60

Noes: Bardanouve, Barnhart, Bradley, Brooke, D. Brown, J. Brown, Cody, Cohen, Cromley, Dolezal, Dowell, Driscoll, Forrester, Gilbert, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Mr. Speaker.

Total 38

Excused: S. J. Hansen.

Total 1

Absent or not voting: Gervais.

Total 1

HB 407 - Representative Bradley moved HB 407 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Galvin, Gervais, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 70

Noes: Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Hoffman, Kasten, T. Nelson, Peck, Peterson, Simpkins, Spring, Swysgood, Thoft, Thomas, Wyatt, Zook.

Total 25

Excused: S. J. Hansen.

Total 1

Absent or not voting: Bardanouve, Forrester, Grinde, Kadas.

Total 4

HB 293 - Representative Grinde moved HB 293 do pass.

Representative Kadas made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Kadas moved HB 293, second reading copy, be amended as follows (amendment #1):

1. Title, line 7.

Strike: "IN EVEN-NUMBERED YEARS"

Insert: "EVERY 2 YEARS"

2. Page 1, line 13.

Strike: "each"

Insert: "every"

3. Page 1, line 14.

Strike: "even-numbered year"

Insert: "2 years"

4. Page 1, line 25.

Strike: "even-numbered"

Insert: "regular session for not more than 90 days every 2"

5. Page 2, line 1.

Strike: "even-numbered"

Insert: "regular session for not more than 90 days every 2"

Amendment #1 passed as follows:

Ayes: Barnett, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Bachini, Barnhart, Bergsagel, Boharski, Cobb, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Mercer, Messmore, T. Nelson, J. Rice.

Total 22

Excused: S. J. Hansen.

Total 1

Absent or not voting: Bardanouve, Grady.

Total 2

Representative Grinde moved HB 293, as amended, do pass. Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko,

Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.

Total 79

Noes: Bergsagel, D. Brown, Cocchiarella, Cohen, Driscoll, Elliott, Gould, H. S. Hanson, Kilpatrick, Measure, Southworth, Squires, Stang, Strizich, Wanzenried, Whalen, Wyatt.

Total 17

Excused: S. J. Hansen.

Total 1

Absent or not voting: Bachini, Bardanouve, Mr. Speaker.

Total 3

HB 294 - Representative Grinde moved HB 294 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.

Total 87

Noes: Bergsagel, Cohen, Elliott, Gould, H. S. Hanson, J. Johnson, Measure, Squires, Stang, Wanzenried, Whalen, Wyatt.

Total 12

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Bardanouve.

Total 1

HB 357 - Representative Thomas moved HB 357 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Connelly, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Grady, Grinde, M. Hanson, Harrington, Hoffman, R. Johnson, Kasten, Keller, Larson, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, Raney, Ream, J. Rice, Simpkins, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 59

Noes: Barnett, Bergsagel, Boharski, Cocchiarella, Cody, Cohen, Cromley, Daily, Dowell, Elliott, Ellison, Forrester, Gilbert, Gould, H. S. Hanson, Hayne, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Lee, Madison, McCulloch, Measure, Nisbet, Pavlovich, Peck, Quilici, Russell, Schye, Scott, Southworth, Stang, Swysgood, Thoft, Wanzenried, Whalen, Wyatt.
Total 39

Excused: S. J. Hansen.
Total 1

Absent or not voting: S. Rice.
Total 1

HB 644 - Representative Ream moved HB 644 do pass.

Representative D. Brown made a substitute motion HB 644 do not pass. Motion carried as follows:

Ayes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Spring, Stepler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wyatt, Zook.
Total 54

Noes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Galvin, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, O'Keefe, Peck, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Toole, Wanzenried, Whalen, Mr. Speaker.
Total 46

Voted Absentee: S. J. Hansen, Aye.

Excused: None.
Total 0

Absent or not voting: None.

Total 0

HB 797 - Representative Bardanouve moved HB 797, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 22.

Strike: "60 days"

Insert: "1 year"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepller, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Barnett, Davis, Madison, O'Keefe, Phillips.

Total 5

Excused: S. J. Hansen.

Total 1

Absent or not voting: J. DeBruycker.

Total 1

Representative Russell moved HB 797, as amended do pass.

Representative Mercer made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Mercer moved HB 797, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows: (45-54)

Thereupon, HB 797, as amended, passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Madison, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 43

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Bachini, J. DeBruycker.

Total 2

HB 573 - Representative D. Brown moved HB 573, second reading copy, be amended as follows (amendment #1):

1. Title, line 5.

Strike: "MAKE"

Insert: "CLARIFY"

2. Title, lines 6 and 7.

Strike: "CONSISTENT" on line 6 through "CODE" on line 7

3. Page 1, line 15.

Strike: "has the meaning provided in 45-2-101"

Insert: "shall mean a final conviction, except that the department shall record a deferred imposition of sentence as a conviction if the underlying offense is a felony"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: S. J. Hansen.

Total 1

Absent or not voting: Boharski, Elliott.

Total 2

Representative J. Rice moved HB 573, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, D. Brown, Cobb, Cody, R. DeBruycker, Nisbet, Peck, Southworth, Whalen.

Total 9

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Gould.

Total 1

HB 473 - Representative Toole moved HB 473, second reading copy, be amended as follows (amendment #1):

1. Page 1, lines 18 and 19.

Strike: "that" on line 18 through "injury" on line 19

Insert: "that has been the subject of a products liability suit seeking damages for injury to person or property in a court of law in this state."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy,

McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, Clark, Cromley, Feland, Hayne, Peterson, Steppler.

Total 7

Excused: S. J. Hansen.

Total 1

Absent or not voting: Gilbert.

Total 1

Representative Toole moved HB 473, as amended, do pass. Motion failed as follows:

Ayes: Bardanouve, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, O'Keefe, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 48

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, Daily, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 50

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Barnhart, Cody.

Total 2

HB 794 - Representative McCulloch moved HB 794 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J.

Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel, M. Hanson, Hayne.

Total 3

Voted Absentee: S. J. Hansen, Aye.

Excused: None.

Total 0

Absent or not voting: Boharski.

Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (84-15)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

2/26/91

Correctly printed: HB 794.

Correctly engrossed: HB 116, HB 641, 681, HB 703, HB 735, HB 761, HB 767, HB 800, HB 815, HB 831, HB 836, HB 837, HB 849, HB 853, HB 862, HB 887, HB 888, HB 891, HB 895, HB 896, HB 917, HB 927, HB 938, HB 952, HB 962, HJR 31, HJR 32.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/26/91

SB 7, introduced by Mazurek

SB 19, introduced by Jergeson

SB 31, introduced by Towe

SB 53, introduced by Devlin

SB 209, introduced by Yellowtail

SB 232, introduced by Doherty

SB 268, introduced by Svrcek

SB 315, introduced by Doherty

SB 321, introduced by Fritz

SB 331, introduced by Franklin

SB 368, introduced by Jergeson

SB 371, introduced by Jacobson

SB 372, introduced by Jacobson

SB 377, introduced by Jergeson
SB 381, introduced by Jacobson
SB 383, introduced by Weeding
SB 386, introduced by Bengtson
SB 392, introduced by Keating
SB 393, introduced by Kennedy
SB 394, introduced by Svrcek
SB 402, introduced by Yellowtail
SB 415, introduced by Vaughn
SB 421, introduced by Bianchi
SB 423, introduced by Lynch
SB 424, introduced by Hager
SB 426, introduced by Grosfield
SB 432, introduced by Pinsoneault
SB 433, introduced by T. Beck
SB 434, introduced by T. Beck
SB 441, introduced by Mazurek
SB 448, introduced by Towe
SB 449, introduced by Grosfield
SB 455, introduced by Thayer
SB 456, introduced by Yellowtail

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 26, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 16, 119 and 280 on February 26, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

February 26, 1991

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory

veto to Senate Bill 38, "AN ACT TO REVISE THE 24-HOUR STATUTORY PERIOD FOR HOLDING A YOUTH IN JAIL; TO PROHIBIT THE DETENTION OF A YOUTH IN JAIL EXCEPT UNDER CERTAIN CIRCUMSTANCES; TO ALLOW A 6-HOUR EXCEPTION FOR HOLDING A YOUTH IN JAIL FOR THE PURPOSE OF IDENTIFICATION, PROCESSING, OR TRANSFER OF THE YOUTH TO A DETENTION FACILITY OR SHELTER CARE FACILITY; TO PROVIDE A LIMITED 24-HOUR EXCEPTION FOR THE DETENTION OF A YOUTH IN JAIL PENDING A PROBABLE CAUSE HEARING; TO CLARIFY DETENTION PROCEDURES FOLLOWING A PROBABLE CAUSE HEARING; AMENDING SECTIONS 7-32-2244, 41-5-103, 41-5-206, 41-5-303, 41-5-306, 41-5-307, 41-5-309, 41-5-502, and 53-30-229, MCA; AMENDING SECTIONS 14 AND 17, CHAPTER 434, LAWS OF 1989; REPEALING SECTION 41-5-308, MCA; AND PROVIDING EFFECTIVE DATES." This amendatory veto is made for the following reasons.

The implementation of Senate Bill 38 has provisions contingent upon the passage and approval of Senate Bill 37 which has not been fully deliberated by this legislative body. Further, the necessary appropriations committee has not addressed the funding of SB 37.

My amendment would require coordination and consideration of both pieces of legislation. Without the amendment it is probable the state would mandate specific requirements on the juvenile correction system without addressing the necessary appropriation. This we cannot do.

I urge your concurrence on my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 38
(REFERENCE COPY, AS AMENDED)
February 26, 1991

1. Title, line 19

Following: "DATES"

Insert: "AND PROVIDING A COORDINATION INSTRUCTION"

2. Page 28, line 19.

Following: "NEW SECTION. Section 17. Coordination instruction. If Senate Bill 37 is not passed and approved, then this act is void and without effect."

MOTIONS

Representative Driscoll moved HB 627 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 406 be taken from the Committee on Education and Cultural Resources and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 681, HB 815, HB 800 and HB 927 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Representative Driscoll moved the House adjourn until 8:00 a.m., Wednesday, February 27, 1991. Motion carried.

House adjourned at 8:30 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 27, 1991

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Ellis. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 2/27/91
Correctly engrossed: HB 37, HB 293, HB 294, HB 357, HB 407, HB 421,
HB 466, HB 500, HB 536, HB 571, HB 573, HB 794, HB 797.

MOTIONS

Representative Measure moved the House reconsider its action on HB 768 taken on third reading the previous legislative day. Motion failed.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 37 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Feland, Foster, Galvin, Gervais, Gould, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bergsagel, Cody, Cohen, Ellis, Fagg, Forrester, Gilbert, Grady, H. S. Hanson, Hayne, Hoffman, R. Johnson, McCaffree, McCulloch, T. Nelson, Peterson, Schye, Stang, Steppler, Wanzenried.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 116 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Becker, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cody, Daily, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady,

Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook.

Total 70

Noes: Barnhart, Beck, Bradley, Brooke, D. Brown, Cocchiarella, Cohen, Connelly, Cromley, Darko, Dolezal, Dowell, Driscoll, Feland, Forrester, S. J. Hansen, Harrington, J. Johnson, McCaffree, McCulloch, Measure, O'Keefe, Ream, S. Rice, Russell, Schye, Stang, Wanzenried, Wyatt, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved consideration of HB 293, HB 294 and HB 357 be placed at the bottom of the third reading board. Motion carried.

HB 407 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Mr. Speaker.

Total 68

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Daily, R. DeBruycker, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, M. Hanson, Hoffman, Kasten, Keller, Lee, Mercer, T. Nelson, Pavlovich, Peck, Simpkins, Spring, Swysgood, Thoft, Wallin, Wyatt, Zook.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 421 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 466 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, Madison, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Simpkins, Spring, Squires, Stang, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen, Wyatt, Zook.
Total 60

Noes: Bardanouve, Barnhart, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Dolezal, Dowell, Driscoll, Ellison, Forrester, Gervais, Gilbert, Harrington, J. Johnson, Kadas, Kilpatrick, Larson, McCaffree, McCarthy, McCulloch, Measure, Nisbet, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Stickney, Strizich, Toole, Wanzenried, Mr. Speaker.
Total 39

Excused: None.
Total 0

Absent or not voting: S. J. Hansen.
Total 1

HB 500 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Ellison, Gilbert, Kasten, Simpkins.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 536 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Ellis.
Total 1

HB 571 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: J. DeBruycker, R. DeBruycker, Driscoll, L. Nelson, O'Keefe, Scott, Southworth.

Total 7

Excused: None.

Total 0

Absent or not voting: Ellis.

Total 1

HB 573 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, D. Brown, Cody, R. DeBruycker, Feland, McCaffree, Measure, Scott, Southworth, Whalen.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 604 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Bergsagel, Peterson.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 620 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: R. DeBruycker, Feland, Gould, Kasten, Peterson, Spring.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 630 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Peck.
Total 1

HB 640 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 641 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 672 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

February 27, 1991

HB 703 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Cobb, Ellison, Gilbert, Peck.

Total 5

Excused: None.

Total 0

Absent or not voting: Ellis.

Total 1

HB 735 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cromley, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Messmore, T. Nelson, Peterson, Phillips, Quilici, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 761 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzonried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 767 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, S. J. Hansen, M. Hanson, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thoft, Toole, Wanzonried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Bachini, Barnett, Bergsagel, Clark, Cody, Cromley, R. DeBruycker, Ellis, Ellison, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, Peterson, Phillips, Spring, Stepler, Swysgood, Thomas, Tunby, Wallin.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 773 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, Clark.
Total 2

Excused: None.
Total 0

Absent or not voting: Hayne, Toole.
Total 2

HB 794 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Boharski, Feland, M. Hanson, Hayne.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 797 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Madison, Mercer, Messmore, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 43

Excused: None.
Total 0

Absent or not voting: Bachini, J. DeBruycker.
Total 2

HB 807 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Toole.
Total 1

HB 831 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Barnett, Boharski.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 836 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 37

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 837 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Becker.

Total 1

HB 839 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cohen, Ellis, Gervais.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 849 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt.

Total 68

Noes: Bachini, Barnett, Benedict, Cobb, Connelly, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellison, Feland, Foster, S. J. Hansen, Hayne, Kasten, Knox, McCaffree, Measure, Menahan, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Scott, Simpkins, Spring, Swysgood, Wallin, Zook, Mr. Speaker.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 853 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.

Total 90

Noes: Benedict, Boharski, R. DeBruycker, Feland, Kasten, Peck, Simpkins, Whalen, Wyatt.

Total 9

Excused: None.

Total 0

Absent or not voting: Wanzenried.

Total 1

HB 862 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 68

Noes: Bachini, Beck, D. Brown, Cody, Cohen, Connelly, Cromley, Daily, J. DeBruycker, Ellison, Feland, Galvin, Gilbert, Grinde, Harrington, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Pavlovich, Peck, Quilici, Russell, Scott, Stang, Stepler, Swysgood, Thoft, Wanzenried, Whalen.
Total 31

Excused: None.
Total 0

Absent or not voting: Wyatt.
Total 1

HB 887 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 47

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 888 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 89

Noes: Bachini, Bardanouve, Benedict, Clark, Hoffman, Kadas, McCulloch, Peck, Stang, Wyatt, Zook.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 891 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Clark, Cobb, Cromley, Ellis, Feland, Foster, Hayne, Kasten, Simpkins.

Total 9

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

HB 895 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel, Cromley, McCaffree, Raney.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 896 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Feland, McCaffree, Stang, Swysgood.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 917 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 938 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Becker, Whalen.
Total 2

Excused: None.
Total 0

Absent or not voting: Lee.
Total 1

HB 952 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, S. J. Hansen, M. Hanson, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Cobb, Cromley, Feland, Gould, Grady, Grinde, H. S. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, McCaffree, Messmore, L. Nelson, T. Nelson, Peck, Peterson, J. Rice, Spring, Swysgood, Thoft, Thomas.
Total 28

Excused: None.

Total 0

Absent or not voting: Measure.

Total 1

HB 962 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Spring.

Total 1

HJR 30 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Cobb, R. DeBruycker, Feland, Grady, Kasten.
Total 6

Excused: None.
Total 0

Absent or not voting: Grinde.
Total 1

HJR 31 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Feland, Hayne, Kasten, McCaffree, Simpkins, Spring, Swysgood, Thoft, Zook.
Total 14

Excused: None.
Total 0

Absent or not voting: Cromley.
Total 1

HJR 32 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grinde, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 73

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellison, Feland, Foster, Gilbert, Grady, H. S. Hanson, Hayne, Hoffman, Kasten, Knox, Peterson, Simpkins, Spring, Swysgood, Thoft, Thomas, Zook.

Total 24

Excused: None.

Total 0

Absent or not voting: Cohen, Lee, Mercer.

Total 3

HJR 33 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, R. DeBruycker, Feland, McCaffree, Peck, Swysgood.

Total 6

Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

HJR 39 (Alternative Consent Calendar) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

February 27, 1991

TO: Members of the 52nd Legislature

The House of Representatives and the State Senate have agreed that the following Bills are not subject to the transmittal deadline on the 45th Legislative day, February 27, 1991:

HB 293 - Grinde
HB 294 - Grinde
HB 357 - Thomas

Sincerely,

JOSEPH P. MAZUREK
President of the Senate

HAL HARPER
Speaker of the House

BRUCE CRIPPEN
Minority Leader of the Senate

JOHN MERCER
Minority Leader of the House

MOTIONS

Representative Grinde moved HB 293, HB 294 and HB 357 be taken from third reading and placed on second reading. Motion carried.

ANNOUNCEMENTS

Representative Driscoll moved the House adjourn until 5:00 p.m., Monday, March 4, 1991. Motion carried.

House adjourned at 8:50 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 4, 1991

House Chambers
State Capitol

House convened at 5:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Bachini, Cohen, Cromley, Dowell, Feland, Grinde, Keller, McCarthy, Measure, L. Nelson, O'Keefe, Peterson, Phillips, S. Rice, Russell, Steppler, Toole, Wanzenried, Whalen, excused. Quorum present.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/27/91

SB 115, introduced by Blaylock
SB 272, introduced by Farrell
SB 295, introduced by Doherty
SB 342, introduced by Pinsoneault
SB 379, introduced by Van Valkenburg
SB 388, introduced by Van Valkenburg
SB 420, introduced by Svrcsek
SB 425, introduced by Grosfield
SB 437, introduced by B. Brown
SB 438, introduced by B. Brown
SJR 19, introduced by Williams
SJR 20, introduced by Yellowtail
SJR 21, introduced by Thayer
SJR 23, introduced by Bruski
SJR 24, introduced by Bengtson
SJR 25, introduced by Stimatz

SB 145, introduced by B. Brown, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, did not pass the Senate and was transmitted on 2/27/91 to the House with the following vote:

YEAS - 14

NAYS - 35

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 27, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 27, 53, 91, 138, 140, 163, 171, 178, 194, 205 and 242 on February 27, 1991.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

February 27, 1991

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 56, "AN ACT TO RESTRICT PLACEMENT OR EVALUATION OF PREDISPOSITIONAL YOUTH AT A STATE YOUTH CORRECTIONAL FACILITY; TO ELIMINATE THE REQUIREMENT THAT THE DEPARTMENT OF FAMILY SERVICES PROVIDE ADDITIONAL YOUTH EVALUATION PROGRAMS TO REPLACE SERVICES PERFORMED AT STATE INSTITUTIONS; TO CLARIFY THE RESPONSIBILITY OF COUNTIES TO PAY THE COST OF YOUTH EVALUATIONS ORDERED BY THE COURT; TO REQUIRE PARENTS WHO ARE FINANCIALLY ABLE TO CONTRIBUTE TO THE COST OF YOUTH EVALUATIONS; AMENDING SECTION 41-5-523, MCA; REPEALING SECTION 53-30-225, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE." This amendatory veto is made for the following reasons.

The implementation of Senate Bill 56 has provisions contingent upon the passage and approval of Senate Bill 37 which has not been fully deliberated by this legislative body. Further, the necessary appropriations committee has not addressed the funding of SB 37.

My amendment would require coordination and consideration of both pieces of legislation. Without the amendment it is probable the state would mandate specific requirements on the juvenile correction system without addressing the necessary appropriation. This we cannot do.

I urge your concurrence with my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 56
(REFERENCE COPY, AS AMENDED)
February 27, 1991

1. Title, line 15
Following: "53-30-225, MCA;"
Delete: "AND"

2. Title, line 16

Following: "DATE"

Insert: "AND PROVIDING A COORDINATION INSTRUCTION"

3. Page 10, line 12

Following: line 11

Insert: "NEW SECTION. Section 4. Coordination instruction. If Senate Bill 37 is not passed and approved, then this act is void and without effect."

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

February 27, 1991

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 59, "AN ACT PROHIBITING THE PLACEMENT OF YOUTH IN NEED OF SUPERVISION IN A JAIL, SECURE DETENTION FACILITY, OR CORRECTIONAL FACILITY; PROVIDING CRITERIA FOR THE DETENTION OF YOUTH IN SECURE DETENTION FACILITIES AND SHELTER CARE FACILITIES; PROVIDING CRITERIA FOR THE DETENTION OF YOUTH IN LAW ENFORCEMENT FACILITIES THAT INCLUDE A JAIL; AMENDING SECTIONS 41-5-103, 41-5-305, 41-5-306, AND 53-30-202, MCA; AND PROVIDING EFFECTIVE DATES." This amendatory veto is made for the following reasons.

The implementation of Senate Bill 59 has provisions contingent upon the passage and approval of Senate Bill 37 which has not been fully deliberated by this legislative body. Further, the necessary appropriations committee has not addressed the funding of SB 37.

My amendment would require coordination and consideration of both pieces of legislation. Without the amendment it is probable the state would mandate specific requirements on the juvenile correction system without addressing the necessary appropriation. This we cannot do.

I urge your concurrence in my amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 59
(REFERENCE COPY, AS AMENDED)
February 27, 1991

1. Title, line 13

Following: "AND 53-30-202, MCA;"

Delete: "AND"

2. Title, line 14

Following: "DATES"

Insert: "AND PROVIDING A COORDINATION INSTRUCTION"

3. Page 15, line 8

Following: line 7

Insert: "NEW SECTION. Section 20. Coordination instruction. If Senate Bill 37 is not passed and approved, then this act is void and without effect."The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 27, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 175, "AN ACT TO PROVIDE THAT THE TRUSTEES OF AN ELEMENTARY SCHOOL DISTRICT SHALL ESTABLISH OR MAKE AVAILABLE A KINDERGARTEN PROGRAM IN THE DISTRICT; AND AMENDING SECTION 20-7-1117, MCA." This amendatory veto is made for the following reasons.

Budgetary and financial planning for educational programs are an important and integral responsibility of school boards of trustees and county superintendents. Numerous requirements imposed on school boards in the formulation of school budgets are enumerated in Title 20, MCA.

The bill as presented would take effect October 1, 1991. School districts are well within the budget preparation for the upcoming school year. In some instances there may not be sufficient planning opportunity for rural school districts to prepare either to provide a program or, in the alternative, seek a program for resident students to attend.

Many legislators in this assembly have served on school boards and they recognize the difficulty of hasty budget planning. Budget preparation

March 4, 1991

includes reviewing existing programs, determining legislation activity on budgets, estimating resources available and reconciling needs and resources. The setting of levies and implementing the new equalization program contributes to this problem. The beginning of school fiscal year for 1991 is July 1. School districts are in the middle of prioritizing and establishing the 1991 budget. Many districts also are in the midst of collective bargaining. In most school districts preliminary budgets have been adopted and final determinations are based on matters before this legislature.

My amendment will allow the necessary planning, budget preparation, and implementation of a kindergarten program for school districts who have not had prior experience in this area. An effective date of July 1, 1992 would allow districts sufficient advance notice to meet kindergarten requirements beginning in school year September 1992-93. Nothing would prevent any school district from implementing kindergarten programs prior to that time, if the school district trustees so desired.

This amendment would recognize local control and promote responsible government.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 175
(REFERENCE COPY, AS AMENDED)
February 27, 1991

1. Title, line 6

Following: "DISTRICT;"

Strike: "AND"

2. Title, line 7

Following: "MCA"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 2, line 9

Following: line 8

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1992."

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

February 28, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol

Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 244, "AN ACT TO CLARIFY THE PROCEDURE FOR POLLING THE LEGISLATURE FOLLOWING VETO OF A BILL WHEN THE LEGISLATURE IS NOT IN SESSION; TO CLARIFY THE USE OF FACSIMILE SIGNATURES; AMENDING SECTIONS 5-2-105 AND 5-4-306, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." This amendatory veto is made for the following reasons.

House Bill 244 as adopted would, among other things, authorize the legislature, through its joint rules, to define the phrase "if the bill was not approved by two-thirds of the members present" for purposes of determining whether, under Article VI, section 10 of the Montana Constitution, the Secretary of State is required to poll the legislature after it has adjourned on the issue of sustaining a gubernatorial veto of a bill. (Please refer to page 2, lines 17, 22 and 23, of the Reference Bill.)

The legislature's joint rules are not adopted in the form of a bill and are not subject to the approval of the governor. As a consequence, they do not have the force of law under constitution provisions which specify that laws may be passed only by bill (Article V, section 11, 1972 Mont. Const.), and that, with exceptions not germane to this discussion, every bill must be submitted to the Governor for his signature before it may become law (Article VI, Section 10(1), 1972 Mont. Const.).

In its present form, however, House Bill 244 would allow the legislature, by adopting joint rules, to control the application of section 5-4-306(2), MCA, and, thus, Article VI, section 10(4) of the Montana Constitution which that statute implements.

My amendments will eliminate this Constitutional conflict by deleting from House Bill 244 the delegation of authority to the legislature to define by joint rule the phrase "if the bill was approved by two-thirds of the members present. The remaining proposed changes in the bill would not be affected.

Article VI, section 10(1), 1972 Montana Constitution provides that every bill must be submitted to the Governor for his signature before it may become law. The Montana Supreme Court, in addressing the 1889 Montana Constitution in Vaughn & Ragsdale Co., v. State Bd. of Equalization, 109 Mont. 52, 58, 238 P.2d 420 (1939), stated in part, "The presiding officer of each house and the Governor have under the Constitution, an indispensable part of the making of every law. They are part of the machinery set up by the Constitution to make laws...." This principle is clearly applicable to the 1972 Montana Constitution as well.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 244
(REFERENCE COPY, AS AMENDED)
February 28, 1991

1. Page 2, line 17.

Following: "present," on line 16

Strike: "as defined in the joint rules of the legislature,"

2. Page 2, lines 22 and 23.

Following: "present," on line 22

Strike: "as defined in the joint rules of the legislature,"

FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 974, introduced by Peck, Jergeson, Grinde, Kadas, Svrcek, Driscoll, Jacobson, Harper, L. Nelson, Van Valkenburg, Bianchi, Mazurek, Nathe, Blaylock, Hockett, Williams, Grosfield, Devlin, Bruski, Keating, Weeding, Mercer, Steppler, Bachini, J. DeBruycker, Crippen, referred to Committee on Human Services and Aging

HB 975, introduced by Wallin, referred to Committee on Appropriations

The following Senate bills were introduced, read first time, and referred to committee:

SB 3, introduced by Nathe, referred to Committee on Agriculture, Livestock, and Irrigation

SB 7, introduced by Mazurek, referred to Committee on Judiciary

SB 19, introduced by Jergeson, referred to Committee on Agriculture, Livestock, and Irrigation

SB 31, introduced by Towe, referred to Committee on Labor and Employment Relations

SB 53, introduced by Devlin, referred to Committee on Business and Economic Development

SB 99, introduced by Harp, Yellowtail, Weeding, T. Beck, Raney, Gilbert, Grady, Driscoll (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 102, introduced by Nathe, L. Nelson, Cody, Tveit, Swift, Swysgood, Thoft, Gilbert, Darko, Grinde, Menahan, Mercer, Thomas Devlin, Bradley, Bachini, Harp, Halligan, T. Beck, Gage, B. Brown, referred to Committee on Local Government

SB 115, introduced by Blaylock, R. Johnson, Hager, Halligan, Towe, T. Nelson, Kimberley, Brooke, J. Rice, Forrester, Strizich, Southworth, Fagg, Dolezal, McCulloch, referred to Committee on Taxation

SB 122, introduced by Weeding, Stang, Harp, Mazurek, Noble, Tveit, Farrell, Bruski, Rea, Stimatz, Koehnke, Gervais, L. Nelson, referred to Committee on Highways and Transportation

SB 131, introduced by Fritz, Toole, referred to Committee on Business and Economic Development

SB 136, introduced by T. Beck, Weeding, Grady, Raney, Driscoll, Gilbert, Yellowtail (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 142, introduced by T. Beck, D. Brown, Swysgood, Ellison, Devlin, Anderson, M. Hanson, Grady, Spring, Williams, Weeding, Yellowtail, Swift, Grosfield, Lynch, referred to Committee on Fish and Game

SB 145, introduced by B. Brown, Lee, referred to Committee on Judiciary

SB 154, introduced by Nathe, Lynch, Cobb, Whalen, L. Nelson, referred to Committee on Judiciary

SB 169, introduced by Doherty, Pinsoneault, Van Valkenburg, B. Brown, Strizich, O'Keefe, Fagg, Harp (by request of the Department of Justice), referred to Committee on Business and Economic Development

SB 171, introduced by Svrcek, Rye, Schye, Grady (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

SB 172, introduced by Svrcek, Peck, Lee, Pipinich, Vaughn, Cohen, Fritz, Ream, Yellowtail, Halligan, Thoft, Swysgood, Keating, Cocchiarella, Elliott, Wanzenried, Squires, Kadas, Eck, Benedict, Steppler, Hansen, Russell, Toole, Whalen, Nisbet, Cobb, Hoffman, J. Brown, Darko, Anderson, T. Beck, Grosfield, Harp, Hammond, referred to Committee on Human Services and Aging

SB 189, introduced by T. Beck, Harp, Yellowtail, Weeding, Gage, Rea, Grady, Raney (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 191, introduced by T. Beck (by request of the Department of Justice), referred to Committee on Highways and Transportation

SB 195, introduced by Bengtson, Vaughn, Eck, Pinsoneault, Weeding, Grosfield, T. Beck, Swysgood, referred to Committee on Natural Resources

SB 200, introduced by Vaughn, Squires, Darko, Hansen, Hager, Harding, Lee, Eck, referred to Committee on Human Services and Aging

SB 205, introduced by Eck, Brooke, referred to Committee on Human Services and Aging

SB 206, introduced by Halligan, referred to Committee on Business and Economic Development

SB 209, introduced by Yellowtail, T. Beck, Harp, Weeding, Driscoll, Raney, Gilbert, Grady (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 211, introduced by Harp, referred to Committee on Natural Resources

SB 214, introduced by Towe, referred to Committee on Judiciary

SB 219, introduced by Bianchi, referred to Committee on Fish and Game

SB 221, introduced by Harding, Vaughn, Connelly, Tveit, Keating, referred to Committee on Local Government

SB 224, introduced by Vaughn, Darko, Bengtson, Harp, Peterson (by request of the Department of Health and Environmental Sciences), referred to Committee on Local Government

SB 228, introduced by Yellowtail, Pinsoneault, Gould, Crippen, Wallin, Strizich, Van Valkenburg, Squires, Towe, Harp, T. Beck, Mazurek, Doherty, Cocchiarella, Toole, Hoffman, J. Rice, D. Brown, referred to Committee on Judiciary

SB 232, introduced by Doherty, Pinsoneault (by request of the Department of Justice), referred to Committee on Business and Economic Development

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SB 236, introduced by Harp, Kennedy, Wanzenried, Boharski, Connelly, Towe, Thayer, Halligan, Van Valkenburg, Mazurek, referred to Committee on Business and Economic Development

SB 237, introduced by Noble, Phillips, Harp, Thayer, referred to Committee on Labor and Employment Relations

SB 239, introduced by Van Valkenburg, Strizich (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

SB 240, introduced by Van Valkenburg, Strizich (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

SB 243, introduced by Mazurek, referred to Committee on State Administration

SB 246, introduced by Nathe, Mercer, Mazurek, Blaylock (by request of the Department of Administration), referred to Committee on Judiciary

SB 248, introduced by Hammond (by request of the Securities Commissioner), referred to Committee on Business and Economic Development

SB 249, introduced by Svrcek (by request of the Department of Justice), referred to Committee on Judiciary

SB 250, introduced by Keating, Mazurek, Gage, Swysgood, J. Rice, T. Beck, Crippen, Grinde, Grady, Harding, Strizich, Boharski, Stickney, J. Johnson, Bradley, Darko, Vaughn, referred to Committee on Judiciary

SB 252, introduced by Svrcek, Grady, Elliott, Jergeson, Grosfield, Devlin, Swysgood, Thoft, Schye, referred to Committee on Fish and Game

SB 253, introduced by Bengtson (by request of the Department of State Lands), referred to Committee on Natural Resources

SB 255, introduced by Vaughn, Peterson, Darko, Bianchi, Pipinich, Svrcek, B. Brown, Crippen, Harp, referred to Committee on Fish and Game

SB 256, introduced by Gage, Lynch, referred to Committee on Human Services and Aging

SB 257, introduced by Gage (by request of the Department of Justice), referred to Committee on Judiciary

SB 259, introduced by Franklin, Rea, T. Beck, Svrcek, Eck, Kennedy, Pipinich, Rye, Pinsoneault, Jergeson, Becker, Squires, Doherty, Yellowtail, Strizich, Messmore, Jacobson, referred to Committee on Human Services and Aging

SB 261, introduced by Lynch, Halligan, Jacobson, Stimatz, Pipinich, Fritz, Daily, Whalen, Harrington, Quilici, Kadas, Ream, Brooke, Driscoll, Cocchiarella, Menahan, McCarthy, Squires, Harper, Manning, Pinsoneault, Pavlovich, referred to Committee on Local Government

SB 264, introduced by Fritz, Thomas, Driscoll, Squires, Nathe, Van Valkenburg, referred to Committee on State Administration

SB 265, introduced by Grosfield, Bengtson, Ream, Weeding, Harper, Grady, Thoft, Swysgood (by request of the Governor), referred to Committee on Natural Resources

SB 266, introduced by Grosfield, Bengtson, Swysgood, Grady, Thoft (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources

SB 267, introduced by Towe, Driscoll, Lynch, Harrington, Whalen, referred to Committee on Labor and Employment Relations

SB 268, introduced by Svrcek, Kadas, Harper, Crippen, referred to Committee on Natural Resources

SB 270, introduced by Williams, Kennedy, M. Hanson, Grosfield, Cody, Driscoll, Schye, McCaffree, Gilbert, J. Rice, Rye, Noble, Aklestad, Tveit, Steppler, Hoffman, Thomas, Fritz, Gould, Strizich, Zook, D. Brown, Benedict, Quilici, Pavlovich, Kasten, T. Beck, Larson, Weeding, Harp, Nathe, Jergeson, Hager, Grinde, Bradley, referred to Committee on Judiciary

SB 272, introduced by Farrell, referred to Committee on Business and Economic Development

SB 275, introduced by Gage (by request of the Department of Revenue), referred to Committee on Taxation

SB 276, introduced by Fritz, Clark, J. Rice, Whalen, Squires, Davis, Peterson, Kimberley, Van Valkenburg, Strizich, Hager, referred to Committee on Local Government

SB 277, introduced by Gage (by request of the Department of Social and Rehabilitation Services), referred to Committee on Human Services and Aging

SB 279, introduced by B. Brown, Harrington, Halligan, Towe, Lee, Raney, Eck, O'Keefe, Doherty, Koehnke, Yellowtail, Mazurek, Crippen, Thayer, Boharski, Harp, T. Beck, Gage, Knox, Ream, Wanzenried, T. Nelson, Elliott, Hoffman, Fagg, Cohen, Stang, Schye, Dolezal, Swift, Foster (by request of the Department of Revenue), referred to Committee on Taxation

SB 280, introduced by B. Brown (by request of the Department of Revenue), referred to Committee on Taxation

SB 287, introduced by Gage, Grinde, Lee, Larson, Grady, T. Beck, J. Rice, R. DeBruycker, M. Hanson, Hayne, Feland, Bergsagel, Spring, Burnett, Barnett, Keller, Ellis, Wallin, Fritz, Rea, Rye, Grosfield, B. Brown, Crippen, Phillips, Keating, Harding, Anderson, Swysgood, Ellison, T. Nelson, Thayer, Aklestad, Williams, Hager, Pinsoneault, Koehnke, Simpkins, Hammond, Zook, Noble, Boharski, Harp, Swift, Devlin, Knox, Gould, Kasten, Eck, referred to Committee on Education and Cultural Resources

SB 290, introduced by Koehnke, referred to Committee on Highways and Transportation

SB 291, introduced by Rye, Hoffman, Elliott, Svrcek, Grady (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

SB 293, introduced by Doherty, Halligan, referred to Committee on Judiciary

SB 295, introduced by Doherty, Strizich, Toole, O'Keefe, Galvin, referred to Committee on Highways and Transportation

SB 297, introduced by Noble, Farrell, Anderson, Wallin, Williams, Barnett, Hoffman, Koehnke, Harp, referred to Committee on Highways and Transportation

SB 298, introduced by Yellowtail, Rye, Stang, Gilbert (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

SB 299, introduced by Halligan, referred to Committee on Taxation

SB 301, introduced by Blaylock, Bachini, Swift, Grady, referred to Committee on State Administration

SB 303, introduced by Weeding, T. Beck, Yellowtail, Grady (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 304, introduced by Stimatz, referred to Committee on Judiciary

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SB 305, introduced by Anderson, Hoffman, referred to Committee on Local Government

SB 306, introduced by Keating, Messmore, Franklin, Squires, Bradley, referred to Committee on Human Services and Aging

SB 307, introduced by Franklin (by request of the Board of Dentistry), referred to Committee on Human Services and Aging

SB 308, introduced by Eck, J. Johnson, Gage, Keating (by request of the Department of Family Services), referred to Committee on Judiciary

SB 310, introduced by Yellowtail, Crippen, Mazurek, Towe, Waterman, Gervais, Messmore, Russell, Thayer, referred to Committee on Human Services and Aging

SB 311, introduced by Weeding, referred to Committee on Human Services and Aging

SB 313, introduced by Grosfield, Noble, Schye, Stepler, Bengtson, Gilbert, Ellison, Mazurek, Swysgood, Svreck, Thoft, Hockett, T. Beck, Harper, Zook, Stimatz, Aklestad, Yellowtail, Williams, Koehnke (by request of the Governor), referred to Committee on Natural Resources

SB 314, introduced by Grosfield, Noble, Swysgood, Clark, Benedict, Blaylock (by request of the Department of Natural Resources and Conservation), referred to Committee on Natural Resources

SB 315, introduced by Doherty, referred to Committee on Judiciary

SB 318, introduced by Weeding (by request of the Senate Committee on Highways and Transportation), referred to Committee on Highways and Transportation

SB 319, introduced by Grosfield, Noble, Farrell, Stepler, McCulloch, referred to Committee on Highways and Transportation

SB 320, introduced by Fritz, Ream, referred to Committee on Education and Cultural Resources

SB 321, introduced by Fritz, Brooke, referred to Committee on Judiciary

SB 322, introduced by Fritz, Nisbet, referred to Committee on Highways and Transportation

SB 323, introduced by T. Beck (by request of the Department of Justice), referred to Committee on Business and Economic Development

SB 326, introduced by Waterman, O'Keefe, Harper, J. Brown, T. Beck, Grady, Jacobson, Bradley, Blaylock, Eck, Yellowtail, B. Brown, Hager (by request of the Department of Institutions), referred to Committee on Human Services and Aging

SB 327, introduced by Noble, Kennedy, Williams, Halligan, Burnett, Cromley, Thayer, Swift, Yellowtail, Hammond, Phillips, referred to Committee on Judiciary

SB 329, introduced by Pipinich, Larson, referred to Committee on Highways and Transportation

SB 330, introduced by Manning, Swysgood, Lynch, Harper, Peterson, Jacobson, referred to Committee on Business and Economic Development

SB 331, introduced by Franklin, Doherty, Yellowtail, Strizich, Ream, Elliott, Wyatt, Weeding, Galvin, Williams, Bianchi, Manning, T. Beck, referred to Committee on Judiciary

SB 333, introduced by Gage (by request of the Department of Revenue), referred to Committee on Taxation

SB 334, introduced by Harding, Vaughn, T. Beck, Harp, referred to Committee on Local Government

SB 335, introduced by Noble, Messmore, Wallin, Rye, Harp, Kilpatrick, Waterman, Driscoll, referred to Committee on Business and Economic Development

SB 336, introduced by Pipinich, Hansen (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

SB 342, introduced by Pinsoneault, J. Rice, Halligan, Messmore, Van Valkenburg, Mazurek, referred to Committee on Labor and Employment Relations

SB 343, introduced by Rye (by request of the Department of Labor and Industry), referred to Committee on Labor and Employment Relations

SB 344, introduced by Pinsoneault, Rye, Williams, referred to Committee on Judiciary

SB 346, introduced by Harp (by request of the Environmental Quality Council), referred to Committee on Natural Resources

SB 348, introduced by Eck (by request of the Department of Family Services), referred to Committee on Human Services and Aging

SB 349, introduced by Harp, referred to Committee on Labor and Employment Relations

SB 350, introduced by Svrcek, Pavlovich, Jergeson, Kadas, Cobb, Keating (by request of the Legislative Audit Committee), referred to Committee on State Administration

SB 355, introduced by T. Beck, referred to Committee on Natural Resources

SB 356, introduced by T. Beck, referred to Committee on Highways and Transportation

SB 357, introduced by T. Beck, referred to Committee on Local Government

SB 358, introduced by T. Beck, referred to Committee on State Administration

SB 360, introduced by Gage, Lynch, Hager, Kennedy, Noble, Franklin, Williams, Bruski (by request of the Senate Business and Industry Committee), referred to Committee on Business and Economic Development

SB 361, introduced by Thayer, Swysgood, Hammond, Mazurek, Doherty, Noble, Crippen, Rye, referred to Committee on Judiciary

SB 362, introduced by Grosfield, Grady, Quilici, Harding, Clark, Jergeson, Weeding (by request of the Department of Fish, Wildlife, and Parks), referred to Committee on Fish and Game

SB 363, introduced by Manning, Gage, Franklin, Swysgood, Jergeson, Messmore, Forrester, referred to Committee on Business and Economic Development

SB 364, introduced by Vaughn, Cody, Yellowtail, Peterson, Darko, Eck, Harding, T. Beck, referred to Committee on Judiciary

SB 366, introduced by Franklin, Kennedy, Pipinich, Jacobson, Brooke, Halligan, Yellowtail, Doherty, Eck, Bruski, Manning, Vaughn, Harding, Russell, Cody, Waterman, L. Nelson, Hansen, S. Rice, Becker, Strizich, Messmore, Darko, Barnhart, Harrington, Bradley, Wyatt, Ream, Cocchiarella, Kadas, Bianchi, Connelly, referred to Committee on Human Services and Aging

SB 367, introduced by Crippen, Kimberley, Hager, Rye, Keating, Driscoll, Fagg, Towe, Bengtson, McCulloch, Scott, Whalen, Southworth, Forrester, R. Johnson, Becker, Keller, H.S. Hanson, Cromley, Blaylock, Kilpatrick, T. Nelson, referred to Committee on Local Government

SB 368, introduced by Jergeson, Burnett, Schye, Stepler, Koehnke, referred to Committee on Agriculture, Livestock, and Irrigation

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SB 371, introduced by Jacobson, Hansen, Waterman, Barnhart, referred to Committee on Human Services and Aging

SB 372, introduced by Jacobson, Messmore, Hansen, Waterman, Barnhart, J. Brown, referred to Committee on Human Services and Aging

SB 375, introduced by B. Brown, referred to Committee on Taxation

SB 377, introduced by Jergeson, Grady, Whalen, Daily, Squires, Phillips, Gervais, Gage, Raney, Harper, Harrington, Galvin, Schye, referred to Committee on Natural Resources

SB 379, introduced by Van Valkenburg, Menahan, referred to Committee on Judiciary

SB 381, introduced by Jacobson, Hager, Keating, Pavlovich, Cobb, referred to Committee on Human Services and Aging

SB 383, introduced by Weeding, Williams (by request of the State Fund), referred to Committee on Labor and Employment Relations

SB 386, introduced by Bengtson, Grosfield, T. Beck, Blaylock, M. Hanson, Kimberley, Weeding, Pinsonneault (by request of the Governor), referred to Committee on Natural Resources

SB 387, introduced by Thayer, referred to Committee on Judiciary

SB 388, introduced by Van Valkenburg, McCarthy, O'Keefe, Driscoll, Menahan, D. Brown, referred to Committee on Judiciary

SB 389, introduced by Van Valkenburg, Crippen, referred to Committee on Education and Cultural Resources

SB 390, introduced by Van Valkenburg, referred to Committee on Taxation

SB 392, introduced by Keating, referred to Committee on Judiciary

SB 393, introduced by Kennedy, referred to Committee on Human Services and Aging

SB 394, introduced by Svrcek, O'Keefe, Hoffman, Bengtson, Keating, Wallin, Franklin, B. Brown, Crippen, Russell, Brooke, Jacobson, D. Brown, referred to Committee on Business and Economic Development

SB 395, introduced by Pinsonneault, Hockett, referred to Committee on Education and Cultural Resources

SB 398, introduced by Towe, Harp, Doherty, Pinsonneault, Halligan, Yellowtail, Rye, Grosfield, Mazurek, Crippen, Svrcek (by request of the Senate Judiciary Committee), referred to Committee on Judiciary

SB 399, introduced by Svrcek, referred to Committee on State Administration

SB 400, introduced by Van Valkenburg, referred to Committee on Natural Resources

SB 401, introduced by Pipinich, referred to Committee on Fish and Game

SB 402, introduced by Yellowtail, Doherty, Hockett, Jergeson, Franklin, Blaylock, Bruski, Weeding, Towe, Hager, McCaffree, Russell, Stepler, Nathe, Stickney, Devlin, Scott, referred to Committee on Natural Resources

SB 408, introduced by Keating (by request of the Department of Institutions), referred to Committee on Human Services and Aging

SB 409, introduced by Mazurek (by request of the Department of State Lands), referred to Committee on Agriculture, Livestock, and Irrigation

SB 415, introduced by Vaughn, Darko, Harding, Weeding, referred to Committee on Fish and Game

SB 420, introduced by Svrcek, referred to Committee on Labor and Employment Relations

SB 421, introduced by Bianchi, referred to Committee on State Administration

- SB 422**, introduced by Vaughn (by request of the Committee on State Administration), referred to Committee on State Administration
- SB 423**, introduced by Lynch, Wanzenried (by request of the Secretary of State), referred to Committee on State Administration
- SB 424**, introduced by Hager, J. Brown, Williams, T. Nelson, referred to Committee on Business and Economic Development
- SB 425**, introduced by Grosfield, Gilbert, Williams, Yellowtail, T. Beck, Anderson, Svrcek, Burnett, Keating, Bengtson, Bruski, Van Valkenburg, Mazurek, Tveit, J. DeBruycker, Zook, Foster, Grady, Rea, referred to Committee on Natural Resources
- SB 426**, introduced by Grosfield, G. Beck, Swift, Williams, Benedict, J. DeBruycker, Pinsonneault, Rea, Cobb, Thoft, referred to Committee on Natural Resources
- SB 432**, introduced by Pinsonneault, Strizich (by request of the Department of Family Services), referred to Committee on Judiciary
- SB 433**, introduced by T. Beck, referred to Committee on Business and Economic Development
- SB 434**, introduced by T. Beck, Grosfield, referred to Committee on Natural Resources
- SB 437**, introduced by B. Brown, Boharski, referred to Committee on Local Government
- SB 438**, introduced by B. Brown, Harrington, Halligan, Eck, Crippen, Mazurek, T. Beck, Ream, Stang, Hager, Ellison, Gilbert, M. Hanson, Schye (by request of the Senate Taxation Committee), referred to Committee on Taxation
- SB 440**, introduced by Bengtson, Vaughn, Thayer, Kennedy, Eck, Fritz, T. Beck, Hammond, Peck, Waterman, Harding (by request of the Senate Local Government Committee), referred to Committee on Local Government
- SB 441**, introduced by Mazurek, B. Brown, Pinsonneault, Crippen, referred to Committee on Judiciary
- SB 444**, introduced by Pinsonneault, T. Beck, Weeding, referred to Committee on Judiciary
- SB 448**, introduced by Towe, T. Beck, referred to Committee on State Administration
- SB 449**, introduced by Grosfield, Williams (by request of the Senate Fish and Game Committee), referred to Committee on Fish and Game
- SB 455**, introduced by Thayer, referred to Committee on Natural Resources
- SB 456**, introduced by Yellowtail, Blaylock, Russell (by request of the Senate Committee on Education and Cultural Resources), referred to Committee on Education and Cultural Resources
- SJR 16**, introduced by Doherty, Raney, Mazurek, Jergeson, Weeding, Nathe, Devlin, Franklin, referred to Committee on Natural Resources
- SJR 17**, introduced by Blaylock, Southworth, referred to Committee on Education and Cultural Resources
- SJR 18**, introduced by Lynch, Quilici, D. Brown, Harrington, Pipinich, Daily, Menahan, McCarthy, Jacobson, Van Valkenburg, Gage, Grosfield, Hockett, Doherty, Yellowtail, Kennedy, Thayer, Grady, Driscoll, G. Beck, Stang, Hoffman, Franklin, Bianchi, Williams, Manning, Blaylock, Stimatz, Nathe, Devlin, Mazurek, Jergeson, Keating, Waterman, Bengtson, Hager, Noble, Anderson, Swysgood, Harp, Pavlovich, referred to Committee on Natural Resources
- SJR 20**, introduced by Yellowtail, Blaylock, Franklin, Doherty, Russell, Gervais, referred to Committee on Education and Cultural Resources

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SJR 21, introduced by Thayer, Strizich, Manning, Franklin, Doherty, Noble, Phillips, Simpkins, Messmore, Knox, Nisbet, S. Rice, Dolezal, Wyatt, Galvin, referred to Committee on Education and Cultural Resources

SJR 22, introduced by Doherty, Weeding, Jergeson, referred to Committee on Natural Resources

SJR 23, introduced by Bruski, Bengtson, Jergeson, Weeding, Koehnke, Rea, Hockett, referred to Committee on Agriculture, Livestock, and Irrigation

SJR 24, introduced by Bengtson, Stimatz, Weeding, Tveit, Anderson, Grosfield, Doherty, Bianchi, Hockett, Kennedy, Jergeson, Keating, referred to Committee on Natural Resources

SJR 25, introduced by Stimatz, Bengtson, Weeding, Bianchi, Hockett, Kennedy, Doherty, Anderson, Grosfield, Tveit, Keating (by request of the Senate Natural Resources Committee), referred to Committee on Natural Resources

MOTIONS

Representative Driscoll moved SJR 9 be taken from the Committee on Education and Cultural Resources and rereferred to the Committee on Human Services. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Tuesday, March 5, 1991. Motion carried.

House adjourned at 5:20 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 5, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Kimberley. Pledge of Allegiance to the Flag.

Roll call. All members present except Grinde, Messmore, Peterson, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the thirty-ninth legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

The Helena Boychoir, led by Director Les Cremer, performed for the House. On March 22, 1991, the Boychoir, consisting of 21 young men from the Helena area, will depart for the Soviet Union and Czechoslovakia where they will perform in the cities of Moscow, Ufa, Leningrad and Prague. While in Prague, they will perform at St. Salvator Church on Easter Sunday where the first celebration of Easter in many years will be allowed to be officially recognized.

Superintendent of Public Instruction, Nancy Keenan, introduced the 1991 Runner-up Teacher of the Year, Mary Ann Gilroy from Roundup, Montana and the 1991 Teacher of the Year, Debbie Leeds from Havre, Montana. Ms. Leeds performed a choral rendition and addressed the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/5/91
Correctly printed: HB 441, HB 543.

TAXATION (Harrington, Chairman): 3/5/91
HB 441, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Strike: "TO GAIN PRIORITY OVER TAX LIENS"
Insert: "OF THE INTEREST WITH THE COUNTY TREASURER"
2. Title, line 7.
Strike: "DELINQUENT TAXES ON"
Insert: "AN IMPENDING SHERIFF'S SALE OF"
3. Title, line 14.
Strike: "15-16-113, 15-16-402,"
Following: "15-24-202"
Strike: ", "
4. Page 1, line 17 through page 7, line 23.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent sections

5. Page 8, lines 15 through 18.

Strike: "If" on line 15 through "1." on line 18

Insert: "(2) Upon request, the treasurer shall notify a lienholder if taxes on a mobile home or housetrailer have been paid."

Renumber: subsequent subsections

6. Page 9, line 2.

Strike: "5"

Insert: "3"

7. Page 9, line 11.

Following: "unless"

Insert: ":"

(a)"

8. Page 9, line 12.

Following: "treasurer"

Insert: "; or

(b) the exceptions in 15-24-206(3) or [section 3] apply"

9. Page 11, line 11.

Following: "showing"

Insert: ":"

(i)"

10. Page 11, line 12.

Following: "mobile home"

Insert: "; or

(ii) payment of the property taxes provided for in [section 3]"

11. Page 11, lines 22 and 23.

Strike: "as required by 15-16-113"

Insert: "when information has been requested under 15-24-202(2)"

12. Page 12.

Following: line 11

Insert: "NEW SECTION. Section 4. Notice of impending sale to certain lienholders. After entry of a notation under 15-16-115(2) concerning a mobile home that is not taxed as an improvement to real property but before directing the sheriff to make a levy and sale on the mobile home, the treasurer shall notify a person who has a properly perfected security interest in the mobile home and who has furnished the treasurer a copy of the instrument by which the interest was perfected of the levy and sale. The notice must state that the sheriff may soon be requested to make a levy and sale on the mobile home."

Renumber: subsequent section

13. Page 12, line 13.

Strike: "Section 5] is"

Insert: "Sections 3 and 4] are"

14. Page 12, line 14.
Strike: "16,"
Insert: "24, part 2,"

15. Page 12, line 15.
Strike: "16,"
Insert: "24, part 2,"
Strike: "section 5"
Insert: "sections 3 and 4"

And, as amended, do pass. Report adopted.

HB 543, introduced bill, be amended as follows:

1. Title, line 7.
Following: "PLAN;"
Insert: "INCREASING THE AMOUNT OF THE CREDIT TO 20 PERCENT;"

2. Page 1, line 23.
Strike: "15%"
Insert: "20%"

And, as amended, do pass. Report adopted.

SB 77, third reading copy, be concurred in. Report adopted.
SB 86, third reading copy, be amended as follows:

1. Page 2, line 7.
Following: "1985,"
Insert: "or"

And, as amended, be concurred in. Report adopted.

SB 110, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 116, third reading copy, be concurred in. Report adopted.

SB 119, third reading copy, be concurred in. Report adopted.

SB 147, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

MOTIONS

Representative Driscoll moved HB 841 be taken from the Committee on State Administration and rereferred to the Committee on Agriculture, Livestock, and Irrigation. Motion carried.

Representative Driscoll moved HB 973 be taken from the Committee on Natural Resources and rereferred to the Committee on Taxation. Motion carried.

Representative Driscoll moved HB 971 be taken from the Committee on Taxation and rereferred to the Committee on Natural Resources. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 77 - Representative Quilici moved HB 77 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Driscoll, Kasten, Lee.

Total 3

Voted Absentee: Messmore, Aye.

Excused: Grinde, Peterson.

Total 2

Absent or not voting: D. Brown, Kadas.

Total 2

HB 124 - Representative Gilbert moved HB 124 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler,

Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Barnett, Boharski, Cobb, J. DeBruycker, Kasten, Wallin.
Total 6

Voted Absentee: Messmore, Aye.

Excused: Grinde, Peterson.
Total 2

Absent or not voting: R. DeBruycker, Elliott.
Total 2

HB 142 - Representative Swysgood moved HB 142 do pass.

Representative Kadas made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Kadas moved HB 142, second reading copy, be amended as follows (amendment #1):

1. Page 7, line 16.
Strike: "\$13,500 FOR LEGISLATIVE"
Insert: "\$26,000 for"

Amendment #1 passed as follows:

Ayes: Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Forrester, Gervais, Gould, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Bardanouve, Barnett, Bergsagel, Cobb, Cody, Connelly, Daily, J. DeBruycker, R. DeBruycker, Ellison, Fagg, Feland, Foster, Galvin, Gilbert, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Keller, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Pavlovich, Peck, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Tunby, Wallin, Zook.
Total 41

Excused: Grinde, Messmore, Peterson.
Total 3

Absent or not voting: Boharski, D. Brown, Driscoll, Ellis.
Total 4

Representative Swysgood moved HB 142, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Bachini, Barnett, Cody, R. DeBruycker, Ellison, Feland, Foster, Kasten, Mercer, Peck, Phillips, Spring, Thoft.

Total 13

Voted Absentee: Messmore, Aye.

Excused: Grinde, Peterson.

Total 2

Absent or not voting: D. Brown, Driscoll.

Total 2

HB 328 - Representative Cobb moved HB 328 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Grinde, Messmore, Peterson.

Total 3

March 5, 1991

Absent or not voting: Whalen.

Total 1

HB 334 - Representative Swysgood moved HB 334 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: R. DeBruycker, Forrester, Peck.

Total 3

Excused: Grinde, Messmore, Peterson.

Total 3

Absent or not voting: Cody, Nisbet.

Total 2

HB 335 - Representative J. Johnson moved HB 335 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bachini, R. DeBruycker, Peck, Stepler.

Total 4

Voted Absentee: Messmore, Aye.

Excused: Grinde, Peterson.

Total 2

Absent or not voting: Ellison.

Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (92-3)

REPORTS OF STANDING COMMITTEES

TAXATION (Harrington, Chairman):

3/5/91

HB 699, introduced bill, do pass. Report adopted.

HB 806, introduced bill, do pass. Report adopted.

SB 85, third reading copy, be concurred in. Report adopted.

SB 152, third reading copy, be amended as follows:

1. Page 6, line 1.

Following: "organizations."

Strike: "PERSONAL"

Insert: "Unless the property is leased for a profit to a governmental entity or nonprofit organization by an individual or for-profit organization, real and personal"

2. Page 6, line 2.

Following: "PERSONS"

Strike: "THAT"

Insert: "is exempt if it"

Following: "IS"

Insert: ":

(i)"

3. Page 6, line 3.

Strike: "OR IS"

Insert: ";

(ii)"

4. Page 6, line 4.

Strike: "IS"

Insert: ";; or

(iii) used to house or store a public display"

5. Page 6, lines 4 through 7.

Strike: "EXEMPT" on line 4 through "ORGANIZATION" on line 7

And, as amended, be concurred in. Report adopted.

SB 194, third reading copy, be concurred in. Report adopted.

MOTIONS

Representative Peck moved HB 77 and HB 124 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Wednesday, March 6, 1991. Motion carried.

House adjourned at 3:05 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 6, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Representative Fagg. Pledge of Allegiance to the Flag.

Roll call. All members present except Feland, Grinde, R. Johnson, Messmore, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fortieth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/6/91
Correctly printed: HB 699, HB 806.
Correctly engrossed: HB 142, HB 328, HB 334, HB 335.
Correctly enrolled: HR 2.

APPROPRIATIONS (Bardanouve, Chairman): 3/6/91
HB 131, introduced bill, do pass. Report adopted.
HB 146, introduced bill, be amended as follows:

1. Page 1, line 7.
Following: "AN"
Insert: "IMMEDIATE"

2. Page 5, line 1.
Following: "effective"
Strike: "July 1, 1991."
Insert: "on passage and approval."

And, as amended, do pass. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/5/91
SB 22, third reading copy, be concurred in. Report adopted.
SB 91, third reading copy, be concurred in. Report adopted.
SB 95, third reading copy, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 3/5/91
SB 25, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.
SB 92, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.
SB 98, third reading copy, be concurred in. Report adopted.
SB 100, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.
SB 166, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 976, introduced by Swysgood, Harrington, referred to Committee on Taxation

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 974: Hammond.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Anneke Ayers, Missoula

J. D. Buck, Hall

Misty Eggleston, Bozeman

Randy Kellogg, Helena

Bryon Miller, Trout Creek

Julie Maloney, Helena

Heather Ostberg, Power

Dan Price, Lewistown

Travis Devore, Polson, Page to Minority Office

Representative Driscoll moved the House adjourn until 1:30 p.m., Thursday, March 7, 1991. Motion carried.

House adjourned at 1:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FORTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 7, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Kasten. Pledge of Allegiance to the Flag.

Roll call. All members present except Gervais, Grinde, McCarthy, Messmore, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-first legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

The Helena High School Bengals Class AA State Champion boys and girls basketball teams, their coaches and cheerleaders were introduced and given special recognition by the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/7/91
Correctly printed: HB 131, HB 146.
Correctly engrossed: SB 25, SB 92, SB 100, SB 110, SB 147, SB 166.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 3/6/91
SB 134, third reading copy, be concurred in. Report adopted.
SB 181, third reading copy, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 3/6/91
HB 477, introduced bill, be amended as follows:

1. Title, line 8.
Following: "COUNCIL;"
Insert: "CREATING A NONVOTING LEGISLATIVE CONSULTING PANEL;"

2. Title, line 9.
Following: "FUND;"
Insert: "PROVIDING AN APPROPRIATION FROM THE GENERAL FUND;"

3. Title, line 10.
Strike: "AN"
Strike: "DATE"
Insert: "DATES"

4. Page 2, line 6.
Strike: second "and"

5. Page 2, line 8.
Following: "clients"
Insert: "; and"

(3) includes in the membership of its board of directors representation of minorities, women, and low-income persons"

6. Page 8, line 10.
Strike: "certified or"

7. Page 8, lines 11 and 13.
Strike: "certified"
Insert: "funded"

8. Page 8, line 19.
Following: "11]"
Insert: "and money received in repayment of the principal of development loans"

9. Page 9, lines 3 and 4.
Following: "income" on line 3
Strike: remainder of line 3 through ", " on line 4

10. Page 11, line 12.
Following: "to"
Insert: ":"
 (i) refinance a nonperforming loan held by a financial institution; or
 (ii)"

11. Page 12, line 1.
Following: "renewable"
Strike: "or"
Insert: ", be"

12. Page 12, line 23.
Following: "of"
Insert: "development"

13. Page 13, line 24.
Following: "organization"
Insert: "-- nonvoting legislative consulting panel"
Strike: "There"
Insert: "Subject to the provisions of subsection (5), there"

14. Page 14, lines 7, 9, and 10.
Strike: "four"
Insert: "three"

15. Page 14, line 12.
Following: "."
Insert: "At least two members must have expertise in administering revolving loan funds that primarily serve microbusinesses."

16. Page 15, line 3.
Following: line 2

March 7, 1991

Insert: "(5) (a) There is a legislative consulting panel of four members. The panel:

(i) shall meet with the council, participate in deliberations of the council, and advise the council in performance of its functions under subsection (7) but may not vote on any motion before the council; and

(ii) consists of:

(A) two representatives, including one from each party, appointed by the speaker of the house of representatives; and

(B) two senators, including one from each party, appointed by the committee on committees.

(b) The members:

(i) must be appointed on or before the 10th day of each regular session of the legislature and shall serve until the convening of the next regular session of the legislature. If a vacancy on the panel occurs during a legislative interim, that vacancy must be filled in the same manner as the original appointment.

(ii) are entitled to compensation in the same manner as members of the council, as provided in subsection (6)."

Renumber: subsequent subsections

17. Page 18, line 22.

Following: line 21

Insert: "NEW SECTION. Section 12. Appropriation. There is appropriated to the microbusiness finance program administrative account created in [section 5] from the general fund \$64,600 for the fiscal year ending June 30, 1992."

Renumber: subsequent sections

18. Page 19, line 4.

Strike: "date"

Insert: "dates"

Strike: "[This act] is"

Insert: "(1) [Sections 1 through 9], [section 13], and [this section] are effective on passage and approval."

19. Page 19, line 5.

Following: line 4

Insert: "(2) [Sections 10 through 12] are"

And, as amended, do pass. Report adopted.

HB 629, introduced bill, be amended as follows:

3/7/91

1. Page 1, line 17.

Page 1, line 19.

Page 1, line 20.

Following: "partners"

Insert: "or specified agent"

2. Page 2, line 6.

Strike: "(1)"

3. Page 2, line 11.

Strike: "(a)"

Insert: "(1)"

Renumber: subsequent subsections

4. Page 2, line 16.

Strike: "and"

5. Page 2, line 18.

Following: "transacted"

Strike: ", "

Insert: "; and"

6. Page 2, lines 19 through 21.

Strike: lines 19 and 20 in their entirety and line 21 through "include"

Insert: "(6)"

And, as amended, do pass. Report adopted.

HB 827, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

2. Title, line 7.

Following: "APPROPRIATION"

Insert: "; AND DEFINING "CERTIFIED COMMUNITY LEAD ORGANIZATION""

3. Page 1, line 10.

Following: line 7

Insert: "WHEREAS, frontline, hands-on assistance for business retention, expansion, development, and recruitment in Montana is provided by local economic development organizations that are funded by private sources and by local governments and that are forced to spend much time in raising money; and

WHEREAS, many states, in recognition of the vital role of local economic development organizations in basic industry job creation and diversification, provide financial assistance; and

WHEREAS, the Montana Department of Commerce, through its certified communities program, assists communities to assess economic development potential, address local concerns and opportunities, and continually update community strategic plans; and

WHEREAS, the certified communities program is a vehicle through which funds can be disbursed to local economic development organizations without additional program requirements or additional staffing."

4. Page 1, line 12.

Following: "appropriation"

Insert: "-- definition"

5. Page 1, line 16.

Following: "creating"

Insert: "and maintaining"

6. Page 1, line 18.

Following: "creating"

Strike: "and updating"

Insert: ", revising, or implementing"

7. Page 1, line 20.

Following: "community"

Insert: "lead"

8. Page 1, line 21.

Following: "capita"

Insert: "a year"

9. Page 1, line 24.

Following: "\$1,000"

Insert: "a year"

10. Page 2, line 1.

Following: "community"

Insert: "lead"

Following: "organization"

Insert: "that has completed original certification requirements and maintained program standards mandated by the department"

11. Page 2, line 4.

Following: line 3

Insert: "(4) Grants under [this act]:

(a) may be used to assess local economic development opportunities, establish and maintain economic development organizations, or conduct economic development programs consistent with strategic plans that are adopted by the certified communities and that are filed with the certified communities program; and

(b) may not be used to make loans.

(5) As used in [this act], "certified community lead organization" means an entity that has been endorsed by resolution of a local governing body and that meets and maintains requirements for certification established by the department."

And, as amended, do pass. Report adopted.

SB 8, third reading copy, be concurred in. Report adopted.

3/6/91

SB 89, third reading copy, be concurred in. Report adopted.

SB 144, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 148, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 244, third reading copy, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/7/91
HB 449, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "of the"

Insert: "approved"

2. Page 1, line 16.

Following: "20-9-321."

Insert: "This appropriation is in addition to any base appropriation for funding the special education costs of school districts for the biennium ending June 30, 1993."

And, as amended, do pass. Report adopted.

HB 656, introduced bill, do pass. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

3/7/91

HB 696, introduced bill, do pass. Report adopted.

SB 168, third reading copy, be concurred in. Report adopted.

SJR 9, third reading copy, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):

3/7/91

HB 923, introduced bill, do pass. Report adopted.

SB 196, third reading copy, be amended as follows:

1. Page 2, line 9.

Strike: "mutually"

2. Page 2, line 10.

Strike: "department and the"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/6/91

HB 553, introduced bill, be amended as follows:

1. Title, line 6.

Following: "APPROPRIATION"

Insert: "FROM THE GENERAL FUND TO PAY THE INCREASE IN BENEFITS
TO EMPLOYEES WHO RETIRE PRIOR TO JULY 1, 1991;
INCREASING THE EMPLOYEE AND EMPLOYER CONTRIBUTIONS"

2. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "17-7-502,"

Insert: "19-4-602, AND 19-4-605,"

3. Page 2, line 1.

Following: "contribute"

Insert: "from the general fund"

Strike: "2.96%"

Insert: "0.695%"

4. Page 2, line 2.

Following: "members"

Insert: "earned"

Following: "compensation"

Insert: "reported"

5. Page 2, line 4.

Following: "[section 1]"

Insert: "for employees who retired prior to July 1, 1991"

6. Page 3.

Following: line 22

Insert: "Section 4. Section 19-4-602, MCA, is amended to read:

"19-4-602. Annuity savings fund -- member's contribution. The annuity savings fund is a fund in which the contributions for the members to provide for their annuities shall be accumulated in individual accounts for each member. The normal contribution of each member is ~~7.044%~~ 8.176% of his earned compensation. Contributions to and payments from the annuity savings fund shall be made in the following manner:

(1) (a) Each employer, pursuant to section 414(h)(2) of the federal Internal Revenue Code of 1954, as amended and applicable on July 1, 1985, shall pick up and pay the contributions which would be payable by the member under this section for service rendered after June 30, 1985.

(b) The member's contributions picked up by the employer must be designated for all purposes of the retirement system as the member's contributions, except for the determination of a tax upon a distribution from the retirement system. These contributions must become part of the member's accumulated contributions but must be accounted for separately from those previously accumulated.

(c) The member's contributions picked up by the employer must be payable from the same source as is used to pay compensation to the member and must be included in the member's wages as defined in 19-1-102 and his earned compensation as used to define his average final compensation in 19-4-101. The employer shall deduct from the member's compensation an amount equal to the amount of the member's contributions picked up by the employer and remit the total of the contributions to the retirement board.

(d) The deductions shall be made notwithstanding that the minimum compensation provided by law for a member may be reduced thereby. Every member is considered to consent to the deductions prescribed by this section, and payment of salary or compensation less the deductions is a complete discharge of all claims whatsoever for the services rendered by the member during the period covered by the payment, except as to the benefits provided by the retirement system.

(2) In addition to the normal contributions and subject to the approval of the retirement board, any member may redeposit

in the annuity savings fund, by a single payment or by an increased rate of contribution, an amount equal to any accumulated contributions which he has previously withdrawn, plus interest in the amount the contributions would have earned had the contributions not been withdrawn.

(3) The accumulated contributions of a member withdrawn by him or paid to his estate or to his designated beneficiary in event of his death shall be paid from the annuity savings fund. Upon the retirement of a member, his accumulated contributions shall be transferred from the annuity savings fund to the pension accumulation fund."

Section 5. Section 19-4-605, MCA, is amended to read:

"19-4-605. Pension accumulation fund -- employer's contribution. The pension accumulation fund is the fund in which the reserves for payment of pensions and annuities shall be accumulated and from which pensions, annuities, and benefits in lieu thereof shall be paid to or on account of beneficiaries credited with prior service. Contributions to and payments from the pension accumulation fund shall be made as follows:

(1) Each employer shall pay into the pension accumulation fund an amount equal to ~~7.459%~~ 8.591% of the earned compensation of each member employed during the whole or part of the preceding payroll period.

(2) If the employer is a district or community college district, the trustees shall budget and pay for the employer's contribution under the provisions of 20-9-501.

(3) If the employer is the superintendent of public instruction, a public institution of the state of Montana, a unit of the Montana university system, or the Montana state school for the deaf and blind, the legislature shall appropriate to the employer an adequate amount to allow the payment of the employer's contribution.

(4) If the employer is a county, the county commissioners shall budget and pay for the employer's contribution in the manner provided by law for the adoption of a county budget and for payments under the budget.

(5) All interest and other earnings realized on the moneys of the retirement system shall be credited to the pension accumulation fund, and the amount required to allow regular interest on the annuity savings fund shall be transferred to that fund from the pension accumulation fund.

(6) All pensions, annuities, and benefits in lieu thereof shall be paid from the pension accumulation fund.

(7) The retirement board may, in its discretion, transfer from the pension accumulation fund an amount necessary to cover expenses of administration.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 167, third reading copy, be concurred in. Report adopted.
SB 230, third reading copy, be concurred in. Report adopted.

3/7/91

SB 251, third reading copy, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/6/91

HB 759, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "IMPOSING" on line 5 through "ASSISTANCE;" on line 6

2. Title, line 7.

Strike: "THE PROCEEDS OF THE TAX"

Insert: "MONEY FROM THE GENERAL FUND"

3. Title, line 8.

Strike: "A DELAYED"

Insert: "AN"

4. Page 1, line 13.

Strike: "from the account created by"

Insert: "appropriated in"

5. Page 1, line 20 through page 2, line 19.

Strike: "account." on page 1, line 20 through end of page 2, line 19

Insert: "appropriation. There is statutorily appropriated, as provided in 17-7-502, from the general fund to the attorney general an amount not to exceed \$500,000 each fiscal year for the costs set forth in [section 1]."

Renumber: subsequent sections

6. Page 4, lines 13 and 16.

Strike: "through 3"

Insert: "and 2"

7. Page 4, line 18.

Strike: "January 1, 1992"

Insert: "July 1, 1991"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/6/91

HB 23, introduced by Cody

HB 115, introduced by J. Johnson

HB 154, introduced by Forrester

HB 326, introduced by Thomas

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/6/91

HB 55, introduced by Madison

HB 82, introduced by Stang

House bill not concurred in and returned to the House: 3/5/91

HB 683, introduced by Simpkins

House amendments to Senate bill concurred in: 3/6/91

SB 90, introduced by Jergeson

The Senate, on 2/15/91, failed to concur in House amendments to SB 49 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 49.

President Mazurek appointed the following members:

Senator Pinsoneault, Chairman
Senator Waterman
Senator Rye

The Senate, on 2/15/91, failed to concur in House amendments to SB 57 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 57.

President Mazurek appointed the following members:

Senator Yellowtail, Chairman
Senator Halligan
Senator Harp

The Senate, on 2/16/91, failed to concur in House amendments to SB 66 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 66.

President Mazurek appointed the following members:

Senator Halligan, Chairman
Senator Rea
Senator Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 977, introduced by Bradley, referred to Committee on Human Services and Aging

HB 978, introduced by Phillips, Waterman, Hansen, S. Rice, Hammond, Thayer, Jacobson, Hager, Russell, Cobb, Nathe, J. Johnson, Harper, Keating, Eck, referred to Committee on Human Services and Aging

HB 979, introduced by Barnhart, Eck, Becker, Brooke, Hansen, referred to Committee on Human Services and Aging

HB 980, introduced by Russell, Harper, Stickney, Becker, J. Rice, referred to Committee on Human Services and Aging

March 7, 1991

The following Senate bill was introduced, read first time, and referred to committee:

SJR 19, introduced by Williams, Pavlovich, Grinde, Pinsoneault, Quilici, Swift, Gage, Swysgood, Menahan, Zook, Hammond, J. Johnson, Tveit, Burnett, Madison, Harp, referred to Committee on State Administration

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hoffman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 524 - Representative Raney moved HB 524 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 70

Noes: Barnett, Bergsagel, Boharski, Cobb, Cody, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Stepler, Wallin, Zook.

Total 26

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.

Total 3

Absent or not voting: Fagg.

Total 1

HB 557 - Representative Ream moved HB 557 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S.

J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Gervais, McCarthy, Ayes.

Excused: Grinde, Messmore.

Total 2

Absent or not voting: J. Johnson.

Total 1

HB 560 - Representative Stang moved HB 560 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 88

Noes: Bergsagel, Cody, Hayne, Knox, Nisbet, J. Rice, Simpkins, Steppler, Zook.

Total 9

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.

Total 3

Absent or not voting: None.

Total 0

HB 574 - Representative Thoft moved HB 574 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.

Total 3

Absent or not voting: None.

Total 0

HB 586 - Representative Swysgood moved HB 586 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bachini.

Total 1

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.

Total 3

Absent or not voting: None.

Total 0

HB 615 - Representative Thoft moved HB 615 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Scott, Stepler.

Total 2

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.

Total 3

Absent or not voting: S. J. Hansen, Kadas.

Total 2

HB 639 - Representative Hansen moved HB 639 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 85

Noes: Bergsagel, Boharski, Cobb, Feland, Measure, Swysgood, Thoft, Thomas, Zook.

Total 9

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: Daily, Pavlovich, Spring.
Total 3

HB 660 - Representative Cohen moved HB 660 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Benedict, Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Feland, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, McCaffree, L. Nelson, Pavlovich, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas.
Total 22

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 667 - Representative Darko moved HB 667 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bergsagel, J. DeBruycker, Ellis, Ellison, Feland, Hayne, McCaffree, Peterson, Swysgood, Thoft.
Total 10

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: Benedict, Measure.
Total 2

HB 690 - Representative Harper moved HB 690 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Kasten, Thomas.
Total 3

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: Ellison.
Total 1

HB 732 - Representative Cohen moved HB 732 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stickney, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 50

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Cobb, J. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Keller, Knox, Lee, McCaffree, McCulloch, Mercer, L. Nelson, T. Nelson, Peck,

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Peterson, Phillips, J. Rice, Schye, Simpkins, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 47

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: None.
Total 0

HB 749 - Representative Ellison moved HB 749 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Benedict.
Total 1

Voted Absentee: Gervais, McCarthy, Ayes.

Excused: Grinde, Messmore.
Total 2

Absent or not voting: Daily.
Total 1

HB 770 - Representative Grady moved HB 770 do pass. Motion failed as follows:

Ayes: Beck, Benedict, Cohen, Connelly, Daily, J. DeBruycker, R. DeBruycker, Foster, Grady, S. J. Hansen, Harrington, Hayne, Kimberley, Larson, Madison, McCulloch, Menahan, Mercer, L. Nelson, Pavlovich, Ream, J. Rice, Thoft, Thomas, Whalen, Mr. Speaker.
Total 26

Noes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison,

Fagg, Feland, Forrester, Galvin, Gilbert, Gould, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Lee, McCaffree, Measure, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 69

Excused: Gervais, Grinde, McCarthy, Messmore.
Total 4

Absent or not voting: Kadas.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hoffman moved the adoption of the committee report.

Representative Cohen made a substitute motion HB 732 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (79-17)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/7/91
Examined by the sponsor and found to be correct: 3/6/91
HR 2 - D. Brown
Signed by the Speaker at 2:10 p.m., 3/7/91: HR 2.
Delivered to the Secretary of State at 2:30 p.m., 3/7/91: HR 2

NATURAL RESOURCES (Raney, Chairman): 3/7/91
SJR 10, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

TAXATION (Harrington, Chairman): 3/7/91
HB 282, introduced bill, be amended as follows:

1. Title, line 7.

Following: "COUNTY;"

Insert: "TO REVISE THE METHOD OF COMPUTING THE STATE LAND
EQUALIZATION PAYMENTS; TO PROVIDE FOR REDUCTION IN
PAYMENTS WHEN THE FUNDS APPROPRIATED ARE NOT
SUFFICIENT TO MAKE FULL EQUALIZATION PAYMENTS;"

Strike: "SECTION"

Insert: "SECTIONS"

2. Title, line 8.

Following: line 7

Insert: "77-1-501,"

Following: "77-1-502,"

Insert: "AND 77-1-504, MCA; REPEALING SECTION 77-1-503,"

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

3. Page 2.

Following: line 1

Insert: "Section 1. Section 77-1-501, MCA, is amended to read:

"77-1-501. List of state lands by county. The department shall, before the first Monday of April of every year, prepare ~~and transmit~~ a statement to the department of revenue or its agent in that identifies each county in which the state ~~has~~ owns real property in excess of 6% of the total land area of the county and from which the state derives grazing, agricultural, or forest income. The statement shall contain the total number of acres owned by the state in that county and list the acres separately as grazing, agricultural, or forest land."

Renumber: subsequent sections

4. Page 2, line 4.

Following: "(1)"

Insert: "(a)"

5. Page 2, line 5.

Strike: "classify and"

6. Page 2, lines 6 through 8.

Strike: "that" on line 6 through "county" on line 8

Insert: "due to each county in which the state-owned property in that county is in excess of 6% of the total land area for the county.

(b) The amount in lieu of tax payment for land owned by the state must be computed based upon an imputed value of state land, in the three categories listed in subsection (1)(d), that exceeds 6% of the total land area of the county as follows:

(i) The value per acre for each category is computed by multiplying the total statewide taxable value of the category by the statewide average mill levy for state, county, and school district levies for the year in which the payment is to be made divided by the statewide quantity of that category of land.

(ii) The amount of the payment in lieu of taxes is determined by multiplying the value per acre by the ratio that the number of state-owned acres of land of that category bears to the total amount of state-owned land in the county multiplied by the amount of state-owned land in the county in excess of 6% of the total land areas of the county.

(c) The total statewide taxable value and the statewide quantity of each category of land is the amount published in the most recent biennial report of the department of revenue. For the agricultural category, the department shall use the value and quantity of irrigated and nonirrigated land.

(d) As used in this section, the categories of land are:

- (i) grazing land;
- (ii) agricultural land; and
- (iii) timberland"

7. Page 2, line 25 through page 3, line 7.

Following: "(2)" on line 25

Strike: the remainder of subsection (2) in its entirety

Insert: "If the funds appropriated for a fiscal year are insufficient to pay the full amount in lieu of tax payments, as calculated in subsection (1), the department shall prorate the payment to counties."

8. Page 3.

Following: line 7

Insert: "Section 3. Section 77-1-504, MCA, is amended to read:

~~"77-1-504. Processing of county statements Filing claims. The department shall examine the statement returned by the agent of the department of revenue for accuracy, and in no case shall the state land equalization payment be approved unless the state exemption figure is deducted from the gross assessment figure in the statement. The department shall, before November 1 of each year, prepare and file a claim with the department of administration for all counties who are eligible for state land equalization payments, and this claim shall show the amount of money each eligible county will receive."~~

NEW SECTION. Section 4. Repealer. Section 77-1-503, MCA, is repealed.

NEW SECTION. Section 5. Applicability. [This act] applies to tax years beginning after December 31, 1991."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 558, introduced bill, be amended as follows:

1. Page 4, line 12.

Following: "prepared"

Insert: "by December 1"

2. Page 4, line 13.

Following: "each"

Insert: "regular"

And, as amended, do pass. Report adopted.

HB 757, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "15-16-102"

Insert: "subsection (2)"

And, as amended, do pass. Report adopted.

HJR 24, third reading copy, do pass. Report adopted.

SB 15, third reading copy, be concurred in. Report adopted.

SB 202, third reading copy, be concurred in. Report adopted.

THIRD READING OF BILLS

March 7, 1991

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 142 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 84

Noes: Barnett, Bergsagel, Cody, R. DeBruycker, Ellison, Feland, Kasten, Mercer, Peterson, Phillips, Spring, Thoft, Zook.
Total 13

Voted Absentee: Gervais, McCarthy, Ayes.

Excused: Grinde, Messmore.
Total 2

Absent or not voting: Forrester.
Total 1

HB 328 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.

Total 3

Absent or not voting: Benedict.

Total 1

HB 334 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: R. DeBruycker, Peck.

Total 2

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.

Total 3

Absent or not voting: S. J. Hansen.

Total 1

HB 335 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bachini, R. DeBruycker, Ellison, Peck.

Total 4

Voted Absentee: Gervais, Aye.

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: Grady, McCaffree.
Total 2

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 66. Motion carried.

Representative Driscoll moved HB 155 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 524 and HB 560 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on SB 66:

Representative Bradley, Chairman
Representative Becker
Representative R. Johnson

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 832: Elliott.

The following sponsors were added to HB 861: Tunby, Anderson, Hoffman, Hayne, Bradley.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:30 p.m., Friday, March 8, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTIETH LEGISLATIVE DAY

Helena, Montana
March 8, 1991

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Reverend Morris Brusett. Pledge of Allegiance to the Flag.

Roll call. All members present except Grinde, McCarthy, Messmore, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the forty-second, forty-third, forty-fourth and forty-fifth legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

The Billings West High School Choir, led by Director John Haughey, performed for the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/8/91
Correctly printed: HB 282, HB 449, HB 477, HB 553, HB 558, HB 629, HB 656, HB 696, HB 757, HB 759, HB 827, HB 923, HJR 24.
Correctly engrossed: HB 557, HB 574, HB 586, HB 615, HB 639, HB 660, HB 667, HB 690, HB 749, SB 144, SB 148, SJR 10.

APPROPRIATIONS (Bardanouve, Chairman): 3/8/91
HB 164, introduced bill, do pass. Report adopted.
HB 423, introduced bill, be amended as follows:

1. Title, line 8 and 9.
Following: "THE" on line 8.
Strike: "DEPARTMENT OF ADMINISTRATION"
Insert: "SUPREME COURT"
2. Page 3, lines 21 and 22.
Following: "money" on line 21
Strike: the remainder of line 21 through "division" on line 22.
Insert: "from court fees collected"
3. Page 3, lines 23 and 24.
Following: "the" on line 23.
Strike: the remainder of line 23 through "administration" on line 24.
Insert: "supreme court"
Following: "the" on line 24.
Insert: "judges' retirement"
4. Page 4, lines 15 and 16.
Following: "money" on line 15.
Strike: the remainder of line 15 through "division" on line 16.
Insert: "from court fees collected"

5. Page 4, line 18.

Following: "the"

Strike: "department of administration"

Insert: "supreme court"

6. Page 4, line 19.

Following: "the" on line 19.

Insert: "judges' retirement"

And, as amended, do pass. Report adopted.

HB 897, introduced bill, do pass. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman):

3/8/91

SB 14, third reading copy, be concurred in. Report adopted.

SB 28, third reading copy, be concurred in. Report adopted.

SB 30, third reading copy, be concurred in. Report adopted.

SB 130, third reading copy, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman):

3/8/91

HB 813, introduced bill, be amended as follows:

1. Page 1, line 20.

Following: "fund"

Insert: "and shall use the money for records preservation"

2. Page 1, line 24.

Following: line 23

Insert: "(3) The governing body of the county may transfer to the general fund any money in the records preservation fund that is not needed for records preservation."

And, as amended, do pass. Report adopted.

SB 10, third reading copy, be concurred in. Report adopted.

SB 108, third reading copy, be amended as follows:

1. Title, line 8.

Strike: "REQUIRING"

Insert: "PERMITTING"

2. Page 2, line 9.

Strike: "each"

Insert: "a"

3. Page 2, line 10.

Strike: "must"

Insert: "may"

4. Page 2, lines 11 and 12.

Strike: ". The action must be taken"

Insert: "or"

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And, as amended, be concurred in and be placed on the consent calendar.
Report adopted.

SB 162, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 201, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

TAXATION (Harrington, Chairman):

3/8/91

HB 738, introduced bill, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 113
Report No. 1, March 8, 1991

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 113 met and considered the Senate Committee on Judiciary amendments, dated January 28, 1991, and recommend that House Bill 113 (reference copy -- salmon) be amended as follows:

1. Page 2, line 4.

Following: "SUBSTANTIAL"

Insert: "substantial"

And this Conference Committee report be adopted.

For the House:

Wyatt, Chairman
Toole
Lee

For the Senate:

Halligan
Svrcek
Crippen

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/7/91

HB 39, introduced by Peck

HB 434, introduced by McCaffree

HB 439, introduced by Barnett

HB 453, introduced by Fagg

HB 456, introduced by J. Rice

HJR 27, introduced by Bachini

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/7/91

HB 33, introduced by O'Keefe

HB 389, introduced by Gould

Senate bill passed and transmitted to the House for concurrence: 3/7/91

SB 112, introduced by Harp

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wanzenried in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 804 - Representative Menahan moved HB 804 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Measure, Mercer, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Tunby, Zook.
Total 34

Voted Absentee: McCarthy, Messmore, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: Thomas.
Total 1

HB 814 - Representative Thoft moved consideration of HB 814 be passed until the 54th legislative day. Motion carried.

HB 909 - Representative D. Brown moved consideration of HB 909 be placed below HJR 20 on the second reading board. Motion carried.

March 8, 1991

HJR 20 - Representative Wallin moved HJR 20 do pass. Motion failed as follows:

Ayes: Bardanouve, Barnett, Benedict, D. Brown, Clark, Cobb, Cocchiarella, Daily, Ellis, Fagg, Forrester, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Keller, Kilpatrick, Kimberley, McCarthy, Mercer, T. Nelson, Pavlovich, J. Rice, S. Rice, Russell, Spring, Thomas, Wallin.

Total 31

Noes: Bachini, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Foster, Galvin, Gould, Grady, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 64

Voted Absentee: McCarthy, Aye.

Excused: Grinde, Messmore.

Total 2

Absent or not voting: Ellison, Lee, Whalen.

Total 3

HB 909 - Representative D. Brown moved HB 909, second reading copy, be amended as follows (amendment #1):

1. Title, line 13.

Following: "ADDICTIONS;"

Insert: "PROVIDING AN APPROPRIATION TO FUND THE STUDY;"

2. Page 4, line 3.

Following: "legislature"

Insert: "-- appropriation"

3. Page 4, line 12.

Following: line 11

Insert: "(3) There is appropriated \$32,243 in fiscal 1992 to the department of institutions from the state special revenue gambling license fee account to fund this study."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson,

Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Boharski, Cohen, Elliott, Ellison, Feland, Keller, Swysgood, Thoft.
Total 8

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: Fagg, Lee, Measure.
Total 3

Representative D. Brown moved HB 909, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Bachini, Cohen, J. DeBruycker, Elliott, Ellison, Feland, Foster, M. Hanson, Measure, Peck, Peterson, Spring, Wallin.
Total 13

Voted Absentee: McCarthy, Messmore, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: Gervais, Kadas, Lee.
Total 3

HJR 23 - Representative Lee moved HJR 23 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin,

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Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 86

Noes: Bergsagel, Cromley, J. DeBruycker, Feland, McCaffree, Peterson, Strizich, Swysgood, Thoft, Wyatt, Zook.
Total 11

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: None.
Total 0

SB 135 - Representative Dowell moved SB 135 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: McCarthy, Messmore, Ayes.

Excused: Grinde.
Total 1

Absent or not voting: None.
Total 0

SB 139 - Representative Foster moved SB 139 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: McCarthy, Aye.

Excused: Grinde, Messmore.
Total 2

Absent or not voting: Hoffman, J. Rice.
Total 2

SB 158 - Representative L. Nelson moved SB 158 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Boharski, Cobb, Cromley, R. DeBruycker, Ellis, Ellison, Fagg, Hayne, Hoffman, Keller, Knox, Lee, T. Nelson, Peterson, Phillips, Ream, Simpkins, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 22

Excused: Grinde, McCarthy, Messmore.
Total 3

Absent or not voting: Gould, Grady.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair.

March 8, 1991

Chairman Wanzenried moved the adoption of the committee report. Report adopted. (94-3)

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (J. Brown, Chairman):
HB 514, introduced bill, be amended as follows:

3/8/91

1. Title, line 4.

Following: the second "ACT"

Strike "FREEZING"

Insert: "ADJUSTING"

Following: "THE"

Strike: "STATEWIDE"

2. Title, lines 6 and 7.

Following: "ACROSS-THE-BOARD"

Insert: "FLAT \$1-AN-HOUR"

Following: "TO"

Insert: "ALL STATE"

Strike: "ON THE STATEWIDE PAY PLAN"

3. Title, line 7.

Following: "PROVIDING"

Strike: "FOR"

Insert: "THAT"

4. Title, line 8.

Following: "EMPLOYEES"

Insert: "MAY BE NEGOTIATED BY AGENCY"

5. Title, lines 9 through 11.

Strike: line 9 in its entirety through "PLANS;" on line 11

6. Title, lines 13 through 17.

Strike: line 13 in its entirety through "DISTRICTS;" on line 17

7. Title, line 18.

Strike: "2-18-104, 2-18-204,"

Following: "2-18-303,"

Strike: "2-18-304, 2-18-305"

Insert: "2-18-312, 2-18-313, 2-18-314, 2-18-315"

8. Title, lines 19 through 21.

Following: "MCA;"

Strike: remainder of line 19 in its entirety through "MCA;" on line 21

9. Page 1, line 25 through page 2, line 14.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

10. Page 2, lines 16 through 23.

Following: "pay" on line 16

Insert: "negotiated"

Following: "Each"

Strike: remainder of line 16 through line 23 in its entirety

Insert: "agency shall negotiate with employees for shift differential pay for those employees who are regularly scheduled to work other than the day shift."

11. Page 2, line 24 through page 3, line 2.

Following: "agency" on page 2, line 24

Strike: remainder of line 24 through "conditions" on line 25

Following: "with" on page 2, line 25

Strike: remainder of line 25 through "department" on page 3, line 1

Insert: "employees"

Following: "those employees" on page 3, line 1

Strike: remainder of line 1 through "hour" on line 2

Insert: "who work under hazardous conditions"

12. Page 3, line 3 through page 4, line 12.

Strike: sections 4 and 5 in their entirety

Renumber: subsequent sections

13. Page 4, line 19.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

14. Page 4, line 21.

Following: "chapter"

Strike: "in" through "1990"

15. Page 5, lines 5 through 7.

Following: "1991"

Strike: remainder of line 5 through "2-18-703" on line 7

16. Page 5, lines 11 through 15.

Following: "1992"

Strike: remainder of line 11 through "2-18-703" on line 15

17. Page 5, line 19.

Following: "the"

Strike: remainder of line 19

18. Page 5, line 20.

Following: "~~through~~"

Strike: remainder of line 20

Insert: "2-18-313 through"

19. Page 5, lines 22 and 23.

Following: "pay" on line 22

Strike: remainder of line 22 through "pay" on line 23

20. Page 5, line 24.

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Following: "~~through~~"

Strike: "~~2-18-314 and~~"

Insert: "2-18-313 through"

21. Page 6, lines 5 through 10.

Following: "~~1991~~" on line 5

Strike: remainder of line 5 through "school" on line 10

Insert: "The pay schedules provided for in 2-18-313 indicate the annual compensation for the contracted school term for teachers employed under the authority of the department of institutions or the department of family services for fiscal years 1992 and 1993"

22. Page 6, lines 14 through 16.

Following: "~~1989~~" on line 14

Strike: remainder of line 14 through "experience." on line 16

23. Page 6, line 20.

Following: "~~1990.~~"

Insert: "The compensation of each teacher on the first day of the first pay period in July 1991 is that amount corresponding to his level of academic achievement and the step occupied on June 30, 1991.

(iii) The compensation of each teacher on the first day of the first pay period in July 1992 is that amount corresponding to his level of academic achievement and the step occupied on June 30, 1992."

24. Page 6, line 23.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

25. Page 7, line 2.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

26. Page 7, line 7.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

27. Page 7, line 13.

Strike: "1990"

Insert: "1992"

Strike: "1991"

Insert: "1993"

28. Page 8, lines 9 and 14.

Following: "~~through~~"

Strike: "~~, 2-18-314, and~~"

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Insert: "through"

29. Page 9, line 11 through page 11, line 12.

Strike: sections 7 and 8 in their entirety

Re-number: subsequent sections

30. Page 11.

Following: line 12

Insert: "Section 3. Section 2-18-312, MCA, is amended to read:

"2-18-312. Statewide pay schedules for fiscal years ~~1990~~ 1992 and ~~1991~~ 1993. (1) The statewide classification pay schedule for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080

Note: ~~Includes~~ Does Not Include
Insurance

Pay Matrix -- State

Matrix Type -- Annual

STEP													
GRADE 1	2	3	4	5	6	7	8	9	10	11	12	13	
1	10,132	10,830	11,041	11,247	11,457	11,671	11,890	12,113	12,340	12,572	12,809	13,050	13,542
2	10,614	11,357	11,569	11,786	12,007	12,232	12,462	12,696	12,935	13,179	13,428	13,682	14,200
3	11,138	11,921	12,145	12,373	12,606	12,843	13,085	13,332	13,584	13,841	14,103	14,370	14,915
4	11,711	12,537	12,773	13,014	13,259	13,509	13,764	14,024	14,290	14,561	14,837	15,119	15,694
5	12,343	13,216	13,466	13,721	13,981	14,246	14,516	14,792	15,073	15,360	15,652	15,950	16,558
6	13,035	13,960	14,224	14,494	14,769	15,050	15,336	15,628	15,926	16,230	16,540	16,856	17,501
7	13,802	14,785	15,066	15,353	15,645	15,943	16,247	16,557	16,873	17,196	17,525	17,861	18,546
8	14,620	15,674	15,973	16,278	16,589	16,906	17,220	17,550	17,895	18,238	18,588	18,945	19,673
9	15,547	16,662	16,980	17,305	17,636	17,974	18,319	18,671	19,030	19,396	19,769	20,150	20,926
10	16,553	17,743	18,083	18,430	18,784	19,145	19,513	19,888	20,271	20,662	21,060	21,466	22,295
11	17,652	18,925	19,280	19,660	20,038	20,424	20,818	21,220	21,630	22,048	22,474	22,909	23,796
12	18,868	20,233	20,623	21,021	21,427	21,841	22,263	22,693	23,132	23,580	24,037	24,503	25,477
13	20,204	21,660	22,088	22,515	22,951	23,395	23,848	24,310	24,788	25,281	25,783	26,295	27,341
14	21,880	23,471	23,926	24,390	24,872	25,366	25,870	26,384	26,909	27,444	27,991	28,547	29,683
15	23,625	25,360	25,873	26,388	26,912	27,447	27,994	28,550	29,118	29,697	30,289	30,891	32,121
16	25,613	27,529	28,077	28,635	29,205	29,786	30,379	30,984	31,601	32,230	32,872	33,527	34,862
17	27,787	29,867	30,462	31,060	31,687	32,317	32,961	33,617	34,286	34,960	35,665	36,375	37,825
18	30,100	32,451	33,097	33,756	34,420	35,114	35,813	36,527	37,255	37,997	38,754	39,526	41,101
19	32,831	35,201	35,994	36,710	37,441	38,187	38,948	39,724	40,515	41,323	42,146	42,986	44,686
20	35,714	38,301	39,156	39,936	40,731	41,543	42,371	43,216	44,077	44,955	45,851	46,765	48,583
21	38,885	41,802	42,635	43,485	44,352	45,236	46,138	47,058	47,996	48,953	49,936	50,936	52,983
22	42,366	45,544	46,452	47,379	48,324	49,287	50,270	51,273	52,295	53,336	54,396	55,475	57,633
23	46,174	49,630	50,620	51,638	52,669	53,710	54,790	55,883	56,983	58,096	59,225	60,369	62,633
24	50,358	54,137	55,218	56,320	57,443	58,589	59,757	60,957	62,186	63,436	64,706	66,000	68,383
25	54,953	59,079	60,258	61,460	62,686	63,936	65,210	66,518	67,850	69,206	70,588	71,996	74,483
1	11,212	11,919	12,121	12,327	12,537	12,751	1,2970	13,193	13,420	13,652	13,889	14,130	14,622
2	11,694	12,437	12,649	12,866	13,087	13,312	1,3542	13,776	14,015	14,259	14,508	14,762	15,280
3	12,218	13,001	13,225	13,453	13,686	13,923	1,4165	14,412	14,664	14,921	15,183	15,450	15,995
4	12,791	13,617	13,853	14,094	14,339	14,589	1,4844	15,104	15,370	15,641	15,917	16,199	16,774
5	13,423	14,296	14,546	14,801	15,061	15,326	1,5596	15,872	16,153	16,440	16,732	17,030	17,638
6	14,115	15,040	15,304	15,574	15,849	16,130	1,6416	16,708	17,006	17,310	17,620	17,936	18,581
7	14,882	15,865	16,146	16,433	16,725	17,023	1,7327	17,637	17,953	18,276	18,605	18,941	19,626
8	15,709	16,754	17,053	17,358	17,669	17,986	1,8309	18,639	18,975	19,318	19,668	20,025	20,753
9	16,627	17,742	18,060	18,385	18,716	19,054	1,9399	19,751	20,110	20,476	20,849	21,230	22,006
10	17,633	18,823	19,163	19,510	19,864	20,225	2,0593	20,968	21,351	21,742	22,140	22,546	23,375

FIFTIETH LEGISLATIVE DAY
March 8, 1991

1209

11	18.732	20.005	20.369	20.740	21.118	21.504	2.1898	22.300	22.710	23.128	23.554	23.989	24.876
12	19.948	21.313	21.703	22.101	22.507	22.921	2.3343	23.773	24.212	24.660	25.119	25.597	26.595
13	21.284	22.749	23.168	23.595	24.031	24.475	2.4928	25.399	25.889	26.394	26.909	27.433	28.506
14	22.960	24.551	25.006	25.481	25.975	26.481	2.6998	27.525	28.063	28.611	29.172	29.742	30.906
15	24.705	26.484	27.001	27.529	28.066	28.614	2.9175	29.745	30.327	30.920	31.527	32.144	33.405
16	26.734	28.698	29.260	29.832	30.416	31.012	3.1619	32.240	32.872	33.517	34.175	34.846	36.215
17	28.963	31.095	31.705	32.327	32.960	33.606	3.4266	34.938	35.624	36.324	37.038	37.765	39.252
18	31.426	33.743	34.405	35.081	35.771	36.473	3.7189	37.921	38.667	39.428	40.204	40.995	42.610
19	34.133	36.654	37.375	38.109	38.858	39.623	4.0403	41.198	42.009	42.837	43.681	44.542	44.542
20	37.088	39.832	40.616	41.415	42.230	43.063	4.3911	44.777	45.660	46.560	47.478	47.478	47.478
21	40.338	43.328	44.182	45.053	45.942	46.848	4.7772	48.715	49.677	50.658	50.658	50.658	50.658
22	43.906	47.164	48.094	49.044	50.013	51.000	5.2008	53.036	54.083	54.083	54.083	54.083	54.083
23	47.809	51.361	52.376	53.410	54.467	55.543	5.6641	57.761	57.761	57.761	57.761	57.761	57.761
24	52.098	55.971	57.079	58.209	59.360	60.535	6.1732	61.732	61.732	61.732	61.732	61.732	61.732
25	56.808	61.037	62.245	63.478	64.734	66.015	6.6015	66.015	66.015	66.015	66.015	66.015	66.015

1993 (2) The statewide classification pay schedule for fiscal year 1991 is as follows:

Annual Hours -- 2080

Note: ~~Includes~~ Does Not Include
Insurance

Pay Matrix -- State

Matrix Type -- Annual

STEP

GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
1	10.932	11.639	11.841	12.047	12.257	12.471	12.690	12.913	13.140	13.372	13.609	13.850	14.342
2	11.414	12.157	12.360	12.586	12.807	13.032	13.262	13.496	13.735	13.970	14.228	14.482	15.000
3	11.938	12.721	12.945	13.173	13.406	13.643	13.885	14.132	14.384	14.641	14.903	15.170	15.715
4	12.511	13.337	13.573	13.814	14.059	14.309	14.564	14.824	15.090	15.361	15.637	15.910	16.494
5	13.143	14.016	14.266	14.521	14.781	15.046	15.316	15.592	15.873	16.160	16.452	16.750	17.358
6	13.835	14.760	15.024	15.294	15.569	15.850	16.136	16.428	16.726	17.030	17.340	17.656	18.301
7	14.602	15.585	15.866	16.153	16.445	16.743	17.047	17.357	17.673	17.996	18.325	18.661	19.346
8	15.420	16.474	16.773	17.078	17.389	17.706	18.029	18.359	18.695	19.038	19.388	19.745	20.473
9	16.347	17.462	17.780	18.105	18.436	18.774	19.119	19.471	19.830	20.196	20.569	20.950	21.726
10	17.353	18.543	18.883	19.230	19.584	19.945	20.313	20.688	21.071	21.462	21.860	22.266	23.095
11	18.452	19.725	20.080	20.460	20.838	21.224	21.618	22.020	22.430	22.848	23.274	23.700	24.596
12	19.668	21.033	21.423	21.821	22.227	22.641	23.063	23.493	23.932	24.380	24.830	25.317	26.315
13	21.004	22.460	22.888	23.315	23.751	24.195	24.648	25.110	25.600	26.114	26.620	27.153	28.226
14	22.680	24.271	24.726	25.201	25.695	26.201	26.718	27.245	27.783	28.331	28.892	29.462	30.626
15	24.425	26.204	26.721	27.240	27.786	28.334	28.895	29.465	30.047	30.640	31.247	31.864	33.125
16	26.454	28.418	28.980	29.552	30.136	30.732	31.330	31.960	32.592	33.237	33.895	34.566	35.935
17	28.683	30.815	31.425	32.047	32.680	33.326	33.986	34.658	35.344	36.044	36.758	37.485	38.972
18	31.146	33.463	34.125	34.801	35.491	36.193	36.900	37.641	38.387	39.148	39.924	40.715	42.330
19	33.853	36.374	37.095	37.820	38.578	39.343	40.123	40.918	41.720	42.557	43.401	44.262	44.262
20	36.808	39.552	40.336	41.135	41.950	42.783	43.631	44.497	45.380	46.280	47.108	47.108	47.108
21	40.058	43.048	43.902	44.773	45.662	46.568	47.492	48.435	49.397	50.378	50.378	50.378	50.378
22	43.626	46.884	47.814	48.764	49.733	50.720	51.728	52.756	53.803	53.803	53.803	53.803	53.803
23	47.520	51.081	52.096	53.130	54.187	55.263	56.361	57.481	57.481	57.481	57.481	57.481	57.481
24	51.818	55.691	56.709	57.929	59.080	60.255	61.452	61.452	61.452	61.452	61.452	61.452	61.452
25	56.528	60.757	61.965	63.198	64.454	65.735	65.735	65.735	65.735	65.735	65.735	65.735	65.735

1	13.292	13.999	14.201	14.407	14.617	14.831	1.5050	15.273	15.500	15.732	15.969	16.210	16.702
2	13.774	14.517	14.729	14.946	15.167	15.392	1.5622	15.856	16.095	16.339	16.588	16.842	17.360
3	14.298	15.081	15.305	15.533	15.766	16.003	1.6245	16.492	16.744	17.001	17.263	17.530	18.075
4	14.871	15.697	15.933	16.174	16.419	16.669	1.6924	17.184	17.450	17.721	17.997	18.279	18.854

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5	15.503	16.376	16.626	16.881	17.141	17.406	1.7676	17.952	18.233	18.520	18.812	19.110	19.718
6	16.195	17.120	17.384	17.654	17.929	18.210	1.8496	18.788	19.086	19.390	19.700	20.016	20.661
7	16.962	17.945	18.226	18.513	18.805	19.103	1.9407	19.717	20.033	20.356	20.685	21.021	21.706
8	17.789	18.834	19.133	19.438	19.749	20.066	2.0389	20.719	21.055	21.398	21.748	22.105	22.833
9	18.707	19.822	20.140	20.465	20.796	21.134	2.1479	21.831	22.190	22.556	22.929	23.310	24.086
10	19.713	20.903	21.243	21.590	21.944	22.305	2.2673	23.048	23.431	23.822	24.220	24.626	25.455
11	20.812	22.085	22.449	22.820	23.198	23.584	2.3978	24.380	24.790	25.208	25.634	26.069	26.956
12	22.028	23.393	23.783	24.181	24.587	25.001	2.5423	25.853	26.292	26.740	27.199	27.677	28.675
13	23.364	24.829	25.248	25.675	26.111	26.555	2.7008	27.479	27.969	28.474	28.989	29.513	30.586
14	25.040	26.631	27.086	27.561	28.055	28.561	2.9078	29.605	30.143	30.691	31.252	31.822	32.986
15	26.785	28.564	29.081	29.609	30.146	30.694	3.1255	31.825	32.407	33.000	33.607	34.224	35.485
16	28.814	30.778	31.340	31.912	32.496	33.092	3.3699	34.320	34.952	35.597	36.255	36.926	38.295
17	31.043	33.175	33.785	34.407	35.040	35.686	3.6346	37.018	37.704	38.404	39.118	39.845	41.332
18	33.506	35.823	36.485	37.161	37.851	38.553	3.9269	40.001	40.747	41.508	42.284	43.075	44.690
19	36.213	38.734	39.455	40.189	40.938	41.703	4.2483	43.278	44.089	44.917	45.761	46.622	48.492
20	39.168	41.912	42.696	43.495	44.310	45.143	4.5991	46.857	47.740	48.640	49.558	50.495	52.538
21	42.418	45.408	46.262	47.133	48.022	48.928	4.9852	50.795	51.757	52.738	53.738	54.758	56.908
22	45.986	49.244	50.174	51.124	52.093	53.080	5.4088	55.116	56.163	57.229	58.316	59.424	61.664
23	49.889	53.441	54.456	55.490	56.547	57.623	5.8721	59.841	59.841	59.841	59.841	59.841	59.841
24	54.178	58.051	59.159	60.289	61.440	62.615	6.3812	63.812	63.812	63.812	63.812	63.812	63.812
25	58.888	63.117	64.325	65.558	66.814	68.095	6.8095	68.095	68.095	68.095	68.095	68.095	68.095

Section 4. Section 2-18-313, MCA, is amended to read:

"2-18-313. Teachers' pay schedules. (1) (a) The 12-month pay schedule for teachers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080

Note: ~~Includes~~ Does Not Include Insurance

Term -- Twelve Months Matrix Type -- Annual Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	21,228	21,870	22,529	22,850	23,173	23,832
2	21,983	22,699	23,416	23,775	24,134	24,859
3	22,738	23,529	24,302	24,706	25,110	25,905
4	23,494	24,362	25,206	25,652	26,097	26,949
5	24,247	25,206	26,115	26,598	27,084	27,995
6	25,016	26,060	27,027	27,548	28,071	29,041
7	25,786	26,908	27,934	28,496	29,056	30,083
8	26,561	27,760	28,847	29,446	30,045	31,127
9	27,335	28,610	29,756	30,392	31,033	32,172
10	28,108	29,464	30,664	31,340	32,018	33,218
11	28,884	30,286	31,571	32,288	33,005	34,260
12	28,884	30,286	31,571	32,288	33,005	34,260
13	28,884	30,286	31,571	32,288	33,005	34,260

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	25.039	25.756	26.489	26.847	27.208	27.940
2	25.879	26.678	27.478	27.876	28.279	29.077
3	26.722	27.601	28.466	28.910	29.350	30.214
4	27.566	28.532	29.453	29.939	30.423	31.349
5	28.404	29.453	30.443	30.968	31.496	32.486
6	29.246	30.383	31.435	32.000	32.569	33.623
7	30.084	31.305	32.420	33.031	33.640	34.755
8	30.929	32.231	33.412	34.063	34.716	35.890

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<u>9</u>	<u>31,769</u>	<u>33,154</u>	<u>34,401</u>	<u>35,092</u>	<u>35,789</u>	<u>37,049</u>
<u>10</u>	<u>32,609</u>	<u>34,082</u>	<u>35,389</u>	<u>36,123</u>	<u>36,875</u>	<u>38,245</u>
<u>11</u>	<u>33,453</u>	<u>34,977</u>	<u>36,378</u>	<u>37,181</u>	<u>38,001</u>	<u>39,433</u>
<u>12</u>	<u>33,453</u>	<u>34,977</u>	<u>36,378</u>	<u>37,181</u>	<u>38,001</u>	<u>39,433</u>
<u>13</u>	<u>33,453</u>	<u>34,977</u>	<u>36,378</u>	<u>37,181</u>	<u>38,001</u>	<u>39,433</u>

(b) The 9-month pay schedule for teachers for fiscal year 1990
1992 is as follows:

Annual Hours -- 1480

Note: Includes Does Not Include
Insurance

Term -- Nine Months

Matrix Type -- Annual

Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
<u>1</u>	<u>16,451</u>	<u>16,933</u>	<u>17,427</u>	<u>17,668</u>	<u>17,910</u>	<u>18,404</u>
<u>2</u>	<u>17,017</u>	<u>17,554</u>	<u>18,092</u>	<u>18,361</u>	<u>18,631</u>	<u>19,168</u>
<u>3</u>	<u>17,583</u>	<u>18,176</u>	<u>18,757</u>	<u>19,056</u>	<u>19,352</u>	<u>19,933</u>
<u>4</u>	<u>18,151</u>	<u>18,801</u>	<u>19,422</u>	<u>19,749</u>	<u>20,074</u>	<u>20,697</u>
<u>5</u>	<u>18,715</u>	<u>19,422</u>	<u>20,087</u>	<u>20,441</u>	<u>20,796</u>	<u>21,463</u>
<u>6</u>	<u>19,283</u>	<u>20,047</u>	<u>20,755</u>	<u>21,136</u>	<u>21,518</u>	<u>22,228</u>
<u>7</u>	<u>19,846</u>	<u>20,667</u>	<u>21,418</u>	<u>21,829</u>	<u>22,239</u>	<u>22,990</u>
<u>8</u>	<u>20,414</u>	<u>21,291</u>	<u>22,086</u>	<u>22,524</u>	<u>22,963</u>	<u>23,754</u>
<u>9</u>	<u>20,980</u>	<u>21,913</u>	<u>22,751</u>	<u>23,217</u>	<u>23,685</u>	<u>24,519</u>
<u>10</u>	<u>21,546</u>	<u>22,537</u>	<u>23,416</u>	<u>23,910</u>	<u>24,406</u>	<u>25,304</u>
<u>11</u>	<u>22,113</u>	<u>23,139</u>	<u>24,079</u>	<u>24,606</u>	<u>25,144</u>	<u>26,085</u>
<u>12</u>	<u>22,113</u>	<u>23,139</u>	<u>24,079</u>	<u>24,606</u>	<u>25,144</u>	<u>26,085</u>
<u>13</u>	<u>22,113</u>	<u>23,139</u>	<u>24,079</u>	<u>24,606</u>	<u>25,144</u>	<u>26,085</u>

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
<u>1</u>	<u>16,931</u>	<u>17,413</u>	<u>17,907</u>	<u>18,148</u>	<u>18,390</u>	<u>18,884</u>
<u>2</u>	<u>17,497</u>	<u>18,034</u>	<u>18,572</u>	<u>18,841</u>	<u>19,111</u>	<u>19,648</u>
<u>3</u>	<u>18,063</u>	<u>18,656</u>	<u>19,237</u>	<u>19,536</u>	<u>19,832</u>	<u>20,413</u>
<u>4</u>	<u>18,631</u>	<u>19,281</u>	<u>19,902</u>	<u>20,229</u>	<u>20,554</u>	<u>21,177</u>
<u>5</u>	<u>19,195</u>	<u>19,902</u>	<u>20,567</u>	<u>20,921</u>	<u>21,276</u>	<u>21,943</u>
<u>6</u>	<u>19,763</u>	<u>20,527</u>	<u>21,235</u>	<u>21,616</u>	<u>21,998</u>	<u>22,708</u>
<u>7</u>	<u>20,326</u>	<u>21,147</u>	<u>21,898</u>	<u>22,309</u>	<u>22,719</u>	<u>23,470</u>
<u>8</u>	<u>20,894</u>	<u>21,771</u>	<u>22,566</u>	<u>23,004</u>	<u>23,443</u>	<u>24,234</u>
<u>9</u>	<u>21,460</u>	<u>22,393</u>	<u>23,231</u>	<u>23,697</u>	<u>24,165</u>	<u>25,013</u>
<u>10</u>	<u>22,026</u>	<u>23,017</u>	<u>23,896</u>	<u>24,390</u>	<u>24,897</u>	<u>25,818</u>
<u>11</u>	<u>22,593</u>	<u>23,619</u>	<u>24,562</u>	<u>25,102</u>	<u>25,654</u>	<u>26,618</u>
<u>12</u>	<u>22,593</u>	<u>23,619</u>	<u>24,562</u>	<u>25,102</u>	<u>25,654</u>	<u>26,618</u>
<u>13</u>	<u>22,593</u>	<u>23,619</u>	<u>24,562</u>	<u>25,102</u>	<u>25,654</u>	<u>26,618</u>

(2) (a) The 12-month pay schedule for teachers for fiscal year 1991
1993 is as follows:

Annual Hours -- 2080

Note: Includes Does Not Include
Insurance

Term -- Twelve Months

Matrix Type -- Annual

Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
<u>1</u>	<u>22,028</u>	<u>22,670</u>	<u>23,329</u>	<u>23,650</u>	<u>23,973</u>	<u>24,632</u>
<u>2</u>	<u>22,783</u>	<u>23,499</u>	<u>24,216</u>	<u>24,575</u>	<u>24,938</u>	<u>25,681</u>
<u>3</u>	<u>23,538</u>	<u>24,329</u>	<u>25,111</u>	<u>25,525</u>	<u>25,939</u>	<u>26,754</u>
<u>4</u>	<u>24,294</u>	<u>25,172</u>	<u>26,037</u>	<u>26,494</u>	<u>26,950</u>	<u>27,824</u>

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5	25,054	26,037	26,969	27,464	27,962	28,896
6	25,842	26,913	27,904	28,438	28,974	29,968
7	26,632	27,782	28,833	29,409	29,983	31,036
8	27,426	28,655	29,769	30,383	30,997	32,106
9	28,219	29,526	30,701	31,353	32,010	33,177
10	29,012	30,402	31,632	32,325	33,019	34,249
11	29,807	31,244	32,561	33,296	34,031	35,318
12	29,807	31,244	32,561	33,296	34,031	35,318
13	29,807	31,244	32,561	33,296	34,031	35,318

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
<u>1</u>	<u>27,119</u>	<u>27,836</u>	<u>28,569</u>	<u>28,927</u>	<u>29,288</u>	<u>30,020</u>
<u>2</u>	<u>27,959</u>	<u>28,758</u>	<u>29,558</u>	<u>29,956</u>	<u>30,359</u>	<u>31,157</u>
<u>3</u>	<u>28,802</u>	<u>29,681</u>	<u>30,546</u>	<u>30,990</u>	<u>31,430</u>	<u>32,294</u>
<u>4</u>	<u>29,646</u>	<u>30,612</u>	<u>31,533</u>	<u>32,019</u>	<u>32,503</u>	<u>33,429</u>
<u>5</u>	<u>30,484</u>	<u>31,533</u>	<u>32,523</u>	<u>33,048</u>	<u>33,576</u>	<u>34,566</u>
<u>6</u>	<u>31,326</u>	<u>32,463</u>	<u>33,515</u>	<u>34,080</u>	<u>34,649</u>	<u>35,703</u>
<u>7</u>	<u>32,164</u>	<u>33,385</u>	<u>34,500</u>	<u>35,111</u>	<u>35,720</u>	<u>36,835</u>
<u>8</u>	<u>33,009</u>	<u>34,311</u>	<u>35,492</u>	<u>36,143</u>	<u>36,796</u>	<u>37,970</u>
<u>9</u>	<u>33,849</u>	<u>35,234</u>	<u>36,481</u>	<u>37,172</u>	<u>37,869</u>	<u>39,129</u>
<u>10</u>	<u>34,689</u>	<u>36,162</u>	<u>37,469</u>	<u>38,203</u>	<u>38,955</u>	<u>40,325</u>
<u>11</u>	<u>35,533</u>	<u>37,057</u>	<u>38,458</u>	<u>39,261</u>	<u>40,081</u>	<u>41,513</u>
<u>12</u>	<u>35,533</u>	<u>37,057</u>	<u>38,458</u>	<u>39,261</u>	<u>40,081</u>	<u>41,513</u>
<u>13</u>	<u>35,533</u>	<u>37,057</u>	<u>38,458</u>	<u>39,261</u>	<u>40,081</u>	<u>41,513</u>

(b) The 9-month pay schedule for teachers for fiscal year 1991
1993 is as follows:

Annual Hours -- 1480

Note: Includes Does Not Include
Insurance

Term -- Nine Months

Matrix Type -- Annual

Education Level

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
1	17,251	17,733	18,227	18,468	18,710	19,204
2	17,817	18,354	18,892	19,161	19,431	19,968
3	18,383	18,976	19,557	19,856	20,152	20,733
4	18,951	19,601	20,222	20,549	20,874	21,497
5	19,515	20,222	20,887	21,241	21,596	22,263
6	20,083	20,847	21,555	21,936	22,318	23,028
7	20,646	21,467	22,218	22,629	23,039	23,790
8	21,214	22,091	22,886	23,324	23,763	24,554
9	21,780	22,713	23,551	24,017	24,485	25,333
10	22,346	23,337	24,216	24,710	25,217	26,138
11	22,913	23,939	24,882	25,422	25,974	26,938
12	22,913	23,939	24,882	25,422	25,974	26,938
13	22,913	23,939	24,882	25,422	25,974	26,938

STEP	BA	BA+1	BA+2	BA+3	MA	MA+1
<u>1</u>	<u>18,411</u>	<u>18,893</u>	<u>19,387</u>	<u>19,628</u>	<u>19,870</u>	<u>20,364</u>
<u>2</u>	<u>18,977</u>	<u>19,514</u>	<u>20,052</u>	<u>20,321</u>	<u>20,591</u>	<u>21,128</u>
<u>3</u>	<u>19,543</u>	<u>20,136</u>	<u>20,717</u>	<u>21,016</u>	<u>21,312</u>	<u>21,893</u>
<u>4</u>	<u>20,111</u>	<u>20,761</u>	<u>21,382</u>	<u>21,709</u>	<u>22,034</u>	<u>22,657</u>
<u>5</u>	<u>20,675</u>	<u>21,382</u>	<u>22,047</u>	<u>22,401</u>	<u>22,756</u>	<u>23,423</u>
<u>6</u>	<u>21,243</u>	<u>22,007</u>	<u>22,715</u>	<u>23,096</u>	<u>23,478</u>	<u>24,188</u>

<u>7</u>	<u>21,806</u>	<u>22,627</u>	<u>23,378</u>	<u>23,789</u>	<u>24,199</u>	<u>24,950</u>
<u>8</u>	<u>22,374</u>	<u>23,251</u>	<u>24,046</u>	<u>24,484</u>	<u>24,923</u>	<u>25,714</u>
<u>9</u>	<u>22,940</u>	<u>23,873</u>	<u>24,711</u>	<u>25,177</u>	<u>25,645</u>	<u>26,493</u>
<u>10</u>	<u>23,506</u>	<u>24,497</u>	<u>25,376</u>	<u>25,870</u>	<u>26,377</u>	<u>27,298</u>
<u>11</u>	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>
<u>12</u>	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>
<u>13</u>	<u>24,073</u>	<u>25,099</u>	<u>26,042</u>	<u>26,582</u>	<u>27,134</u>	<u>28,098</u>

Section 5. Section 2-18-314, MCA, is amended to read:

"2-18-314. Liquor store occupations pay schedules. (1) The pay schedule for liquor store occupations for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080
Pay Matrix -- Retail Clerk
Grade \$/Hour
W/Ins.

L1 — 0.000
L2 — 8.040
L3 — 8.540
L4 — 8.820
L5 — 9.110
L6 — 9.720
L7 — 10.380
L8 — 11.130

L1 0.000
L2 8.560
L3 9.060
L4 9.340
L5 9.630
L6 10.240
L7 10.900
L8 11.650

Note: ~~With~~ Without Insurance
Matrix Type -- Hourly

(2) The pay schedule for liquor store occupations for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080
Pay Matrix -- Retail Clerk
Grade \$/Hour
W/Ins.

L1 — 0.000
L2 — 8.425
L3 — 8.925
L4 — 9.205
L5 — 9.495
L6 — 10.105
L7 — 10.765
L8 — 11.515

L1 0.000
L2 9.560
L3 10.060
L4 10.340

Note: ~~With~~ Without Insurance
Matrix Type -- Hourly

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<u>L5</u>	<u>10.630</u>
<u>L6</u>	<u>11.240</u>
<u>L7</u>	<u>11.900</u>
<u>L8</u>	<u>12.650"</u>

Section 6. Section 2-18-315, MCA, is amended to read:

"2-18-315. Blue-collar pay schedules. (1) The pay schedule for blue-collar workers for fiscal year ~~1990~~ 1992 is as follows:

Annual Hours -- 2080

Note: ~~With~~ Without Insurance

Pay Matrix -- Blue-Collar

Matrix Type -- Hourly

Grade \$/Hour

~~W/Ins.~~

~~B1 — 8.51~~

~~B2 — 8.91~~

~~B3 — 9.31~~

~~B4 — 9.71~~

~~B5 — 10.11~~

~~B6 — 10.51~~

~~B7 — 10.91~~

~~B8 — 11.31~~

~~B9 — 11.71~~

~~B10 — 12.11~~

~~B11 — 12.51~~

~~B12 — 12.91~~

~~B00 — 13.31~~

B1 — 9.04

B2 — 9.44

B3 — 9.84

B4 — 10.24

B5 — 10.64

B6 — 11.04

B7 — 11.44

B8 — 11.84

B9 — 12.24

B10 — 12.64

B11 — 13.04

B12 — 13.44

B00 — 13.84

(2) The pay schedule for blue-collar workers for fiscal year ~~1991~~ 1993 is as follows:

Annual Hours -- 2080

Note: ~~With~~ Without Insurance

Pay Matrix -- Blue-Collar

Matrix Type -- Hourly

Grade \$/Hour

~~W/Ins.~~

~~B1 — 8.90~~

~~B2 — 9.30~~

~~B3 — 9.70~~

~~B4 — 10.10~~

~~B5 — 10.50~~

~~B6 — 10.90~~

~~B7 — 11.30~~

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~~B8 — 11.70~~
~~B9 — 12.10~~
~~B10 — 12.50~~
~~B11 — 12.90~~
~~B12 — 13.30~~
~~B00 — 13.70~~

B1 10.04
B2 10.44
B3 10.84
B4 11.24
B5 11.64
B6 12.04
B7 12.44
B8 12.84
B9 13.24
B10 13.64
B11 14.04
B12 14.44
B00 14.84""

Renumber: subsequent sections

31. Page 11, line 20.

Strike: "\$180"

Insert: "\$170"

32. Page 11, line 21.

Strike: "\$230"

Insert: "\$195"

33. Page 12, line 19.

Strike: "\$156,993,038"

Insert: "\$118,906,542"

34. Page 12, lines 23 and 24.

Strike: lines 23 and 24 in their entirety

Insert: "State Government

General Fund	\$13,322,546	\$25,522,528
Other Funds	18,081,847	35,350,231

University System

General Fund	8,820,113	17,809,277"
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35. Page 12, line 25 through page 13, line 2.

Following: line 24 on page 12

Strike: section 11 in its entirety

Renumber: subsequent sections

36. Page 13, lines 3 through 8.

Following: "instruction."

Strike: remainder of line 3 through "3]" on line 8

Insert: "[Section 1]"

37. Page 13, line 11.

Strike: "3"

Insert: "1"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 982, introduced by O'Keefe, Yellowtail, Peck, referred to Committee on Taxation

The following Senate bill was introduced, read first time, and referred to committee:

SB 112, introduced by Harp (by request of the Board of Realty Regulation), referred to Committee on Business and Economic Development

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 25 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: McCarthy, Aye.

Excused: Grinde, Messmore.

Total 2

Absent or not voting: None.

Total 0

SB 92 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: McCarthy, Aye.

Excused: Grinde, Messmore.
Total 2

Absent or not voting: Benedict.
Total 1

SB 100 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: McCarthy, Aye.

Excused: Grinde, Messmore.
Total 2

Absent or not voting: Benedict.

Total 1

SB 110 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bachini, Peck.

Total 2

Voted Absentee: McCarthy, Aye.

Excused: Grinde, Messmore.

Total 2

Absent or not voting: Galvin.

Total 1

SB 147 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Peck, Southworth.

Total 2

Voted Absentee: McCarthy, Aye.

March 8, 1991

Excused: Grinde, Messmore.

Total 2

Absent or not voting: Galvin.

Total 1

SB 166 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: McCarthy, Aye.

Excused: Grinde, Messmore.

Total 2

Absent or not voting: Harrington.

Total 1

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 49. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 57. Motion carried.

Representative Driscoll moved HB 449, HB 656, HB 696 and HB 759 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Kadas moved HB 477 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

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Representative Driscoll moved SB 236 be taken from the Committee on Business and Economic Development and rereferred to the Committee on Taxation. Motion carried.

Representative Driscoll moved SB 251 be taken from second reading and rereferred to the Committee on State Administration. Motion carried.

Representative Benedict moved HB 583 be changed to reflect Representative Ellison as chief sponsor. Motion carried.

Representative Peck moved HB 804 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on SB 49:

Representative Driscoll, Chairman
Representative Boharski
Representative Cocchiarella

Mr. Speaker appointed the following members to the conference committee on SB 57:

Representative Strizich, Chairman
Representative J. Rice
Representative Measure

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 10:00 a.m., Saturday, March 9, 1991. Motion carried.

House adjourned at 3:05 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 9, 1991

House Chambers
State Capitol

House convened at 10:05 a.m. Mr. Speaker in the Chair. Invocation by Representative Tunby. Pledge of Allegiance to the Flag.

Roll call. All members present except Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang, Strizich, Whalen, excused. Quorum present.

Representative Driscoll moved the House recess until 10:35 a.m. Motion carried.

House recessed at 10:10 a.m.

House reconvened at 10:45 a.m. Mr. Speaker in the Chair.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-fifth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/9/91
Correctly printed: HB 164, HB 423, HB 738, HB 813, HB 897.
Correctly engrossed: HB 909, HJR 23, SB 108, SB 135, SB 139, SB 158, SB 162, SB 201.
Correctly enrolled: HB 23, HB 115, HB 154, HB 326.
Examined by the sponsor and found to be correct:
HB 23 - Cody
HB 115 - J. Johnson
HB 154 - Forrester
HB 326 - Thomas

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman): 3/8/91
SJR 12, third reading copy, be concurred in. Report adopted.
SJR 14, third reading copy, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman): 3/8/91
HB 651, introduced bill, be amended as follows:

1. Title, line 15.
Following: "33-7-518,"
Insert: "AND"
Strike: "33-7-525, AND 33-7-526,"

2. Page 1, line 20.
Following: "society,"
Insert: "order, or supreme lodge,"

3. Page 1, line 22.

Strike: "37"

Insert: "38(1)(b)"

4. Page 2, line 2.

Page 4, line 12.

Page 10, line 17.

Page 11, line 14.

Page 13, line 21.

Page 20, line 17.

Page 24, line 14.

Page 27, line 24.

Page 31, line 1.

Page 32, line 5.

Page 33, line 1.

Page 33, line 25.

Page 34, line 9.

Page 36, line 25.

Page 40, line 12.

Page 41, line 2.

Page 41, line 7.

Page 42, line 10.

Page 42, line 12.

Page 42, line 21 (two places).

Page 43, line 3.

Strike: "37"

Insert: "38"

5. Page 8, line 16.

Following: "society"

Insert: "and, in a criminal action or proceeding, in addition, had no reasonable cause to believe that his conduct was unlawful"

6. Page 8, line 21.

Following: "body"

Insert: "or board of directors"

7. Page 10, line 9.

Strike: "the commissioner of insurance"

Insert: "a notary public"

8. Page 11, line 2.

Strike: "a charter"

Insert: "articles of incorporation"

9. Page 14, line 14.

Following: "with"

Strike: "its"

Insert: "the"

10. Page 14, line 15.

Following: "provisions"

Insert: "of its laws"

11. Page 16, line 3.

Following: "5"

Insert: "(1)(b)"

12. Page 21, line 12.

Following: "person"

Insert: "equitably"

13. Page 24, line 8.

Page 25, line 21.

Page 28, line 4.

Strike: "1 year after"

14. Page 24, line 9.

Page 25, line 21.

Page 28, line 5.

Strike: "1992"

Insert: "1993"

15. Page 24, line 12.

Page 28, line 8.

Strike: "1 year from"

Strike: "1992"

Insert: "1993"

16. Page 25, line 20.

Following: "options."

Insert: "(1)"

17. Page 26, line 1.

Following: page 25

Insert: "(2) For certificates issued on or after July 1, 1993, for which reserves are computed on the commissioner of insurance's 1941 standard ordinary mortality table, the commissioner's 1941 standard industrial mortality table, the commissioner's 1958 standard ordinary mortality table, the commissioner's 1980 standard mortality table, or any more recent table made applicable to life insurers, every paid-up nonforfeiture benefit and the amount of any cash surrender value, loan, or other option granted may not be less than the corresponding amount ascertained in accordance with the laws of this state applicable to life insurers issuing policies containing similar benefits based upon the tables."

18. Page 26, line 1.

Strike: "(1)"

19. Page 26, lines 10 through 21.

Strike: subsection (2) in its entirety

20. Page 27, line 23.

Following: line 22

Insert: "NEW SECTION. Section 23. Scope -- provisions applicable. (1) Except as provided in subsection (2), societies are governed by

[sections 1 through 38] and are exempt from all other provisions of the insurance laws of this state, not only in governmental relations with the state but for every other purpose. The provisions of a law enacted after January 1, 1992, do not apply to fraternal benefit societies unless expressly made applicable by the provisions of the law.

(2) In addition to the provisions of [sections 1 through 38], the provisions of chapter 1, parts 1 through 4 and 7; 33-2-104; 33-2-107; 33-2-112; chapter 2, part 12; 33-3-308; 33-15-502; and chapters 17, 18, 20, and 22 apply to fraternal benefit societies to the extent applicable and to the extent not in conflict with the provisions of [sections 1 through 38] and the reasonable implications of [sections 1 through 38]."

Renumber: subsequent sections

21. Page 30, line 9.

Strike: "24"

Insert: "25"

22. Page 33, line 8.

Strike: "34"

Insert: "35"

23. Page 38, lines 24 and 25.

Page 39, line 1.

Strike: "[sections 1 through 37]"

Insert: "chapter 18"

24. Page 46, line 23.

Following: "33-7-518,"

Insert: "and"

Strike: "33-7-525, and 33-7-526,"

25. Page 47.

Following: line 5

Insert: "NEW SECTION. Section 43. Codification instruction. [Sections 1 through 38] are intended to be codified as an integral part of Title 33, and the provisions of Title 33 apply to [sections 1 through 38]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 742, introduced bill, be amended as follows:

1. Page 3, line 21.

Following: first "of"

Insert: "the applicable fee in lieu of tax plus"

2. Page 9, line 10.

Following: "collecting"

Insert: "on"

3. Page 9, lines 10 and 11.

Strike: "judgment from the department of justice"
Insert: "bond"

4. Page 9, lines 11 through 13.

Following: "The" on line 11

Strike: the remainder of line 11 and line 12 in its entirety and line 13
through second "the"

5. Page 9, lines 13 and 14.

Strike: "on which the payment is based determines"

Insert: "must determine"

6. Page 9, line 15.

Strike: "concludes"

Insert: "conclude"

Strike: "dealer's"

Insert: "licensee's"

7. Page 9, line 16.

Following: "damage"

Insert: "before payment on the bond is required"

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/9/91

SB 88, third reading copy, be concurred in. Report adopted.

SB 141, third reading copy, be concurred in. Report adopted.

SB 179, third reading copy, be concurred in and be placed on the consent
calendar. Report adopted.

SB 180, third reading copy, be concurred in and be placed on the consent
calendar. Report adopted.

FISH AND GAME (Elliott, Chairman):

3/8/91

HB 833, introduced bill, be amended as follows:

1. Title, line 6.

Following: "REQUIREMENTS;"

Insert: "INCREASING THE FEE FOR A CERTIFICATE OF NUMBER;
PROVIDING AN APPROPRIATION;"

2. Title, line 9.

Following: "STATIONS;"

Strike: "AND"

Insert: "AUTHORIZING THE FISH AND GAME COMMISSION TO ADOPT
RULES ON THE PROPER OBSERVATION AND SAFE TOWING OF
PERSONS ON WATER SKIS OR SIMILAR DEVICES;"

Following: "23-2-502,"

Insert: "23-2-512,"

3. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES AND A TERMINATION
DATE"

4. Page 1, line 13.

Following: line 12

Insert: "(1)"

5. Page 1, line 15.

Strike: "allowing counties"

6. Page 1, lines 24 and 25.

Strike: "The" on line 24 through "vessel" on line 25

7. Page 2.

Strike: lines 1 through 6 in their entirety

Insert: "(2) A statement of intent is further required because 23-2-529 requires the fish and game commission to adopt rules regarding the proper observation and safe towing of persons on water skis or similar devices. It is intended that the commission's determination of the necessity for rules be based on the density of use of a body of water. Where applicable, the rules should address:

(a) the proper and continuous observation of the person being towed; and

(b) display of a flag when the person being towed falls into the water, including the size, color, condition, and mounting of the flag and the length of time the flag should be displayed."

8. Page 5, line 8.

Following: "on"

Strike: "or being towed behind"

Following: "vessel"

Insert: "rather than by the conventional method of sitting or standing in the vessel"

9. Page 10, line 5.

Following: "collision."

Insert: "following directly behind a waterskier, speeding in confined or restricted areas, and buzzing or wetting down others,"

10. Page 12, lines 13 and 25.

Following: "person"

Strike: "under"

Following: "age"

Insert: "or younger"

11. Page 14, line 11.

Strike: "at least 12 years of age and there is"

Insert: "accompanied by an observer. If the operator is 12 years of age or younger, there must be"

12. Page 14, line 12.

Strike: "12"

Insert: "18"

13. Page 14, lines 13 through 20.

Strike: "The" on line 13 through "direction." on line 20

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Insert: "The fish and game commission shall adopt rules regarding the proper observation and safe towing of persons on water skis or similar devices, based on density of use of a body of water."

14. Page 16, line 8.

Following: "to"

Strike: "enable counties to"

15. Page 16, line 24.

Following: line 23

Insert: "(4) Nothing in this section may be construed to require the department to install pumpout facilities without prior legislative approval and an appropriation.

Section 10. Section 23-2-512, MCA, is amended to read:

"23-2-512. Identification number. (1) The owner of each motorboat, sailboat, or personal watercraft requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat, sailboat, or personal watercraft is owned, on forms prepared and furnished by the department of justice. The application must be signed by the owner of the motorboat, sailboat, or personal watercraft and be accompanied by a fee of \$2 ~~\$2.50~~. Any alteration, change, or false statement contained in the application will render the certificate of number void. Upon receipt of the application in approved form, the county treasurer shall issue to the applicant a certificate of number prepared and furnished by the department of justice, stating the number assigned to the motorboat, sailboat, or personal watercraft and the name and address of the owner.

(2) The applicant, upon the filing of the application, shall pay to the county treasurer the fee in lieu of tax required for a motorboat 10 feet in length or longer, a sailboat 12 feet in length or longer, or a personal watercraft for the current year of certification before the application for certification or recertification may be accepted by the county treasurer.

(3) Should the ownership of a motorboat, sailboat, or personal watercraft change, a new application form with the certification fee must be filed within a reasonable time with the county treasurer and a new certificate of number assigned in the same manner as provided for in an original assignment of number.

(4) If an agency of the United States government has in force a comprehensive system of identification numbering for motorboats in the United States, the numbering system employed pursuant to this part by the department of justice must be in conformity.

(5) Every certificate of number and the license decals assigned under this part continues in effect for a period not to exceed 1 year unless terminated or discontinued in accordance with the provisions of this part. Certificates of number and license decals must show the date of expiration and may be renewed by the owner in the same manner provided for in the initial securing of the certificate.

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(6) Certificates of number expire on December 31 of each year and may not be in effect unless renewed under this part.

(7) In event of transfer of ownership, the purchaser shall furnish the county treasurer notice within a reasonable time of the acquisition of all or any part of his interest, other than the creation of a security interest, in a motorboat, sailboat, or personal watercraft numbered in this state or of the loss, theft, destruction, or abandonment of the motorboat, sailboat, or personal watercraft. The transfer, loss, theft, destruction, or abandonment terminates the certificate of number for the motorboat, sailboat, or personal watercraft. Recovery from theft or transfer of a part interest that does not affect the owner's right to operate the motorboat, sailboat, or personal watercraft does not terminate the certificate of number.

(8) A holder of a certificate of number shall notify the county treasurer within reasonable time if his address no longer conforms to the address appearing on the certificate and furnish the county treasurer with his new address. The department of justice may provide by rule for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or the alteration of an outstanding certificate to show the new address of the holder.

(9) (a) The number assigned must be painted on or attached to each outboard side of the forward half of the motorboat, sailboat, or personal watercraft or, if there are no such sides, at a corresponding location on both outboard sides of the foredeck of the motorboat, sailboat, or personal watercraft. The number assigned must read from left to right in Arabic numerals and block characters of good proportion at least 3 inches tall excluding border or trim of a color that contrasts with the color of the background and be so maintained as to be clearly visible and legible. The number may not be placed on the obscured underside of the flared bow where it cannot be easily seen from another vessel or ashore. No numerals, letters, or devices other than those used in connection with the identifying number issued may be placed in the proximity of the identifying number. No numerals, letters, or devices that might interfere with the ready identification of the motorboat, sailboat, or personal watercraft by its identifying number may be carried as to interfere with the motorboat's, sailboat's, or personal watercraft's identification. No number other than the number and license decal assigned to a motorboat, sailboat, or personal watercraft or granted reciprocity under this part may be painted, attached, or otherwise displayed on either side of the forward half of the motorboat, sailboat, or personal watercraft.

(b) The certificate of number shall be pocket size and available to federal, state, or local law enforcement officers at all reasonable times for inspection on the motorboat, sailboat, or personal watercraft whenever the motorboat, sailboat, or personal watercraft is on waters of this state.

(c) Boat liveries are not required to have the certificate of number on board each motorboat, sailboat, or personal watercraft, but a rental agreement must be carried on board livery motorboats,

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sailboats, or personal watercraft in place of the certificate of number.

(10) Fees (a) Except as provided in subsection (10)(b), fees, other than the fee in lieu of tax, collected under this section shall be transmitted to the state treasurer, who shall deposit the fees in the motorboat or sailboat certificate identification account of the state special revenue fund. These fees shall be used only for the administration and enforcement of this part, as amended.

(b) Of the fee collected under the provisions of subsection (1), 20% must be deposited by the state treasurer in an account in the state special revenue fund to the credit of the department to be used to provide necessary education for boat owners and acquire decibel meters, as required to implement the provisions of 23-2-523(9) and 23-2-526(3), and to acquire marine sewage pumpout equipment.

(11) An owner of a motorboat, sailboat, or personal watercraft must within a reasonable time notify the department of justice, giving the motorboat's, sailboat's, or personal watercraft's identifying number and the owner's name when the motorboat, sailboat, or personal watercraft is transferred, lost, destroyed, abandoned, or frauded or within 60 days after change of state of principal use or if a motorboat becomes documented as a vessel of the United States."

NEW SECTION. Section 11. Appropriation. All the money in the account established in 23-2-512(10)(b) is appropriated to the department of fish, wildlife, and parks for use during the biennium ending June 30, 1993, to provide necessary education for boat owners and acquire decibel meters, as required to implement the provisions of 23-2-523(9) and 23-2-526(3), and to acquire marine sewage pumpout equipment."

Renumber: subsequent sections

16. Page 17, line 4.

Following: line 3

Insert: "NEW SECTION. Section 13. Termination date. The amendments to section 23-2-512 provided in [section 10] terminate July 1, 1993.

NEW SECTION. Section 14. Effective dates.

(1) [Sections 1 through 10, 12, 13, and this section] are effective on passage and approval.

(2) [Section 11] is effective July 1, 1991."

And, as amended, do pass. Report adopted.

SB 97, third reading copy, be concurred in. Report adopted.

SJR 13, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

3/8/91

HB 58, introduced by Driscoll

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/8/91

HB 3, introduced by Bardanouve

HB 101, introduced by Russell

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 983, introduced by Bardanouve, referred to Committee on Taxation

HB 984, introduced by Measure, Whalen, Kadas, Strizich, referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 557 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Daily, McCarthy, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, Messmore, Ream.

Total 4

Absent or not voting: None.

Total 0

March 9, 1991

HB 574 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: None.

Total 0

HB 586 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Peck.

Total 2

Voted Absentee: Daily, McCarthy, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, Messmore, Ream.

Total 4

Absent or not voting: J. DeBruycker.
Total 1

HB 615 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Elliott, Measure, Peck, Scott, Stepler.
Total 5

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.
Total 6

Absent or not voting: None.
Total 0

HB 639 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel, Boharski, Clark, Cobb, Feland, Spring, Swysgood, Thomas.
Total 8

Voted Absentee: Daily, McCarthy, Pavlovich, Stang, Ayes.

March 9, 1991

Excused: Ellison, Grinde, Messmore, Ream.

Total 4

Absent or not voting: None.

Total 0

HB 660 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 72

Noes: Bachini, Barnett, Bergsagel, Clark, Cobb, R. DeBruycker, Ellis, Feland, H. S. Hanson, M. Hanson, Hayne, Hoffman, McCaffree, Peck, Peterson, Phillips, Spring, Swysgood, Thoft, Wallin, Zook.

Total 21

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: Schye.

Total 1

HB 667 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bachini, Bergsagel, J. DeBruycker, R. DeBruycker, Ellis, Feland, Hayne, McCaffree, Peck, Peterson, Phillips, Spring, Swysgood.

Total 13

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: None.

Total 0

HB 690 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergsagel, Gilbert, Kasten, Peck, Peterson, Thomas.

Total 6

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: None.

Total 0

HB 749 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Daily, McCarthy, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, Messmore, Ream.

Total 4

Absent or not voting: None.

Total 0

SB 144 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: None.

Total 0

SB 148 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Daily, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream.

Total 5

Absent or not voting: None.

Total 0

SJR 10 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: None.

Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Fagg in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 175 - Representative D. Brown moved Governor's amendments to HB 175 be concurred in. Motion carried as follows:

March 9, 1991

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 87

Noes: Barnett, Bergsagel, R. DeBruycker, Kasten, McCaffree, Peterson, Phillips, Swysgood, Thoft, Zook.

Total 10

Voted Absentee: Daily, McCarthy, Messmore, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, Ream.

Total 3

Absent or not voting: None.

Total 0

HB 244 - Representative Thomas moved Governor's amendments to HB 244 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Barnett, Wallin.

Total 2

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: None.

Total 0

HB 131 - Representative Brooke moved HB 131 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Benedict, Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, M. Hanson, Kasten, Keller, Knox, McCaffree, L. Nelson, T. Nelson, Phillips, Simpkins, Spring, Swysgood, Thoft.

Total 21

Voted Absentee: Daily, Pavlovich, Ream, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Stang.

Total 5

Absent or not voting: None.

Total 0

HB 146 - Representative Wanzenried moved HB 146 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Hayne.

Total 2

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

March 9, 1991

Absent or not voting: None.

Total 0

HB 441 - Representative Harrington moved HB 441 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: R. DeBruycker, Elliott, Keller, McCaffree, Peck.

Total 5

Voted Absentee: Daily, McCarthy, Messmore, Pavlovich, Ayes.

Excused: Ellison, Grinde, Ream, Stang.

Total 4

Absent or not voting: None.

Total 0

HB 543 - Representative Darko moved HB 543 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Daily, McCarthy, Messmore, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, Ream.

Total 3

Absent or not voting: D. Brown, Driscoll, Kasten.

Total 3

HB 732 - Representative Cohen moved consideration of HB 732 be placed below HB 282 on the second reading board. Motion carried.

HB 282 - Representative L. Nelson moved HB 282 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Daily, McCarthy, Pavlovich, Ayes.

Excused: Ellison, Grinde, Messmore, Ream, Stang.

Total 5

Absent or not voting: None.

Total 0

HB 732 - Representative Cohen moved HB 732, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 12.

Following: "vehicle"

Insert: "on a public highway for the purpose of transporting solid waste as defined in 75-10-203"

2. Page 1, line 14.

Strike: "on a public highway"

3. Page 1, line 16.

Strike: "any material from"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Connelly, Wyatt.

Total 2

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: Larson.

Total 1

Representative Cohen moved HB 732, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, Measure, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bachini, Bergsagel, Cobb, Feland, Grady, M. Hanson, McCaffree, McCulloch, L. Nelson, Peck, Peterson, Stang, Swysgood, Thoft.

Total 14

Voted Absentee: Ream, Aye; Stang, No.

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich.

Total 6

Absent or not voting: Squires.

Total 1

HB 553 - Representative Harrington moved HB 553 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 63

Noes: Barnett, Benedict, Bergsagel, Boharski, J. DeBruycker, R. DeBruycker, Ellis, Feland, Foster, Gilbert, Grady, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, L. Nelson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 31

Voted Absentee: Daily, McCarthy, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, Messmore, Ream.

Total 4

Absent or not voting: Measure, Peck.

Total 2

HB 558 - Representative Darko moved consideration of HB 558 be passed for the day. Motion carried.

HJR 24 - Representative Darko moved consideration of HJR 24 be passed for the day. Motion carried.

HB 629 - Representative McCulloch moved HB 629 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

March 9, 1991

Noes: Bergsagel, Feland.

Total 2

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: H. S. Hanson, Harrington.

Total 2

HB 757 - Representative Kadas moved HB 757 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Barnett, Cobb, Feland, S. J. Hansen, Kasten, Peterson, Phillips, Simpkins, Spring, Swysgood.

Total 10

Voted Absentee: Daily, Pavlovich, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream, Stang.

Total 6

Absent or not voting: Benedict.

Total 1

HB 827 - Representative Harper moved HB 827 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang,

Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Boharski, Cobb, R. DeBruycker, Feland, M. Hanson, Knox, Lee, T. Nelson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Zook.

Total 15

Voted Absentee: Daily, Pavlovich, Stang, Ayes.

Excused: Ellison, Grinde, McCarthy, Messmore, Ream.

Total 5

Absent or not voting: None.

Total 0

HB 923 - Representative Darko moved HB 923 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 86

Noes: Barnett, Benedict, R. DeBruycker, Feland, Measure, Spring, Swysgood, Thoft, Zook.

Total 9

Voted Absentee: Daily, McCarthy, Pavlovich, Ayes.

Excused: Ellison, Grinde, Messmore, Ream, Stang.

Total 5

Absent or not voting: None.

Total 0

SB 8 - Representative S. Rice moved SB 8 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,

McCaffree, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bergsagel, Cobb, R. DeBruycker, Feland, Foster, Gervais, Grady, Hayne, Mercer, Phillips, Swysgood, Thoft, Thomas.
Total 13

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.
Total 8

Absent or not voting: None.
Total 0

SB 15 - Representative Gilbert moved SB 15 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Cohen, R. DeBruycker, McCaffree, O'Keefe, Wanzenried.
Total 5

Voted Absentee: McCarthy, Aye.

Excused: Daily, Ellison, Grinde, Messmore, Pavlovich, Ream, Stang.
Total 7

Absent or not voting: Bardanouve, Bradley, Gould, Knox.
Total 4

SB 22 - Representative Stepler moved SB 22 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox,

Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Cohen, Connelly, Forrester, S. J. Hansen.
Total 4

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.
Total 8

Absent or not voting: Gould.
Total 1

SB 77 - Representative Schye moved SB 77, third reading copy, be amended as follows (amendment #1):

1. Page 4, lines 18 and 19.
Strike: "the percentage of production maximums in subsection (3) or"

2. Page 4, lines 23 and 24.
Strike: "the percentage of production maximums in subsection (3) or"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.
Total 8

Absent or not voting: Hoffman, J. Rice.
Total 2

Representative Schye moved SB 77, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Driscoll.
Total 1

Voted Absentee: McCarthy, Stang, Ayes.

Excused: Daily, Ellison, Grinde, Messmore, Pavlovich, Ream.
Total 6

Absent or not voting: Whalen.
Total 1

SB 85 - Representative Darko moved consideration of SB 85 be passed for the day. Motion carried.

SB 86 - Representative Darko moved consideration of SB 86 be passed for the day. Motion carried.

SB 89 - Representative Cody moved SB 89 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.
Total 8

Absent or not voting: Kadas.
Total 1

SB 91 - Representative Kadas moved SB 91 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, Peck, Phillips, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stepler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bergsagel, D. Brown, Cohen, Driscoll, Forrester, O'Keefe, Peterson, Quilici, Spring.
Total 9

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.
Total 8

Absent or not voting: Stickney.
Total 1

SB 95 - Representative Stepler moved SB 95 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Cohen, Feland, Raney.
Total 3

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Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: Harrington.

Total 1

SB 98 - Representative Dowell moved SB 98 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: Stickney, Zook.

Total 2

SB 116 - Representative Harrington moved SB 116 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Quilici, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Bachini, Barnhart, Cohen, R. DeBruycker, Driscoll, Measure, Peck, Raney, Swysgood, Thoft, Wyatt.

Total 11

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: Phillips, Scott.

Total 2

SB 119 - Representative Hoffman moved SB 119 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Forrester, Peck.

Total 2

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: None.

Total 0

SB 134 - Representative Zook moved SB 134 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Raney.

Total 1

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Voted Absentee: McCarthy, Aye.

Excused: Daily, Ellison, Grinde, Messmore, Pavlovich, Ream, Stang.

Total 7

Absent or not voting: Connelly.

Total 1

SB 152 - Representative Harrington moved SB 152 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bergsagel, D. Brown, Cohen, R. DeBruycker, Grady, Hayne, McCaffree, Phillips, Swysgood, Thoft, Wanzenried.

Total 11

Voted Absentee: Stang, Aye.

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream.

Total 7

Absent or not voting: None.

Total 0

SB 167 - Representative J. Brown moved SB 167 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, Peck.

Total 2

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: Galvin.

Total 1

SB 168 - Representative Brooke moved SB 168 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, J. DeBruycker.

Total 2

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.

Total 8

Absent or not voting: Ellis.

Total 1

SB 181 - Representative Kasten moved SB 181 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cobb, Swysgood.
Total 2

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream,
Stang.
Total 8

Absent or not voting: None.
Total 0

SB 194 - Representative O'Keefe moved SB 194, third reading copy, be amended as follows (amendment #1):

1. Title, line 5.
Following: "TRANSFERS;"
Insert: "AND"

2. Title, lines 7 and 8.
Following: "LAW"
Strike: remainder of line 7 through "DATE" on line 8.

3. Page 5, lines 11 and 12.
Strike: section 9 in its entirety

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bardanouve, Bergsagel, Elliott, Gilbert, S. J. Hansen, Kadas, Madison, Raney, Schye, Scott.
Total 10

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Ream, Stang.
Total 8

Absent or not voting: None.
Total 0

Representative M. Hanson moved SB 194, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bachini, Bergsagel, D. Brown, Gilbert, Kasten, Measure, Peck, Raney.
Total 8

Voted Absentee: Ream, Aye.

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Stang.
Total 7

Absent or not voting: None.
Total 0

SB 196 - Representative Thoft moved SB 196 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 92

Noes: Wyatt.
Total 1

Voted Absentee: McCarthy, Aye.

Excused: Daily, Ellison, Grinde, Messmore, Pavlovich, Ream, Stang.
Total 7

Absent or not voting: None.
Total 0

March 9, 1991

SB 202 - Representative Harrington moved SB 202 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Voted Absentee: Stang, Aye.

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Raney, Ream.

Total 8

Absent or not voting: J. Rice.

Total 1

SB 230 - Representative Southworth moved SB 230 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bardanouve, R. DeBruycker, Feland, T. Nelson.

Total 4

Voted Absentee: McCarthy, Aye.

Excused: Daily, Ellison, Grinde, Messmore, Pavlovich, Raney, Ream, Stang.

Total 8

Absent or not voting: Gould.

Total 1

SB 244 - Representative Kadas moved SB 244 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Raney, Ream, Stang.

Total 9

Absent or not voting: None.

Total 0

SJR 9 - Representative Kadas moved SJR 9 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peterson, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Feland, Gould, H. S. Hanson, M. Hanson, Hayne, Kasten, T. Nelson, Peck, Phillips, Simpkins, Spring.

Total 17

Voted Absentee: McCarthy, Messmore, Raney, Stang, Ayes.

Excused: Daily, Ellison, Grinde, Pavlovich, Ream.
Total 5

Absent or not voting: None.
Total 0

HB 24 - Representative Cody moved Senate amendments to HB 24 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Becker, Cohen, McCaffree, Measure.
Total 4

Voted Absentee: McCarthy, Aye.

Excused: Daily, Ellison, Grinde, Messmore, Pavlovich, Raney, Ream, Stang.
Total 8

Absent or not voting: J. Rice.
Total 1

HB 26 - Representative Cody moved Senate amendments to HB 26 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Daily, Ellison, Grinde, McCarthy, Messmore, Pavlovich, Raney, Ream, Stang.

Total 9

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Fagg moved the adoption of the committee report. Report adopted. (88-0)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/9/91
Signed by the Speaker at 12:00 noon, 3/9/91: HB 23, HB 115, HB 154, HB 326, SB 90.

HUMAN SERVICES AND AGING (Russell, Chairman): 3/9/91
HB 728, introduced bill, be amended as follows:

1. Page 2, line 24.

Strike: "seven"

Insert: "eleven"

2. Page 3, line 14.

Strike: "and"

3. Page 3, line 17.

Strike: "."

Insert: ";

4. Page 3.

Following: line 17

Insert: "(h) one person who is an agent in the Montana cooperative extension service;

(i) one Native American; and

(j) one member of the house of representatives and one member of the senate, who must be paid their compensation and expenses as provided in 5-2-302 while engaged in advisory council business."

5. Page 5, line 18.

Strike: "\$10,000"

Insert: "\$5,000"

6. Page 5, line 23.

Strike: "\$110,882"

Insert: "\$62,882"

And, as amended, do pass. Report adopted.

March 9, 1991

HB 937, introduced bill, be amended as follows:

1. Title, lines 6 through 10.

Strike: "TO REQUIRE" on line 6 through "CHILDREN;" on line 10

2. Title, line 11.

Strike: "SECTION 52-2-712, MCA, AND"

3. Page 1, lines 16 through 22.

Following: line 15

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 1, lines 23 and 24.

Strike: "52-2-712, MCA, and section"

5. Page 1, line 24.

Strike: "are"

Insert: "is"

6. Page 2, lines 7 and 8.

Strike: "the job opportunities and basic skills (JOBS) training program"

Insert: "all federally supported, state-operated day-care programs"

7. Page 2, lines 13 through 16.

Following: line 12

Strike: section 4 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

SB 200, third reading copy, be concurred in. Report adopted.

SB 372, third reading copy, be concurred in. Report adopted.

MOTIONS

Representative Barnett moved he be allowed to change his vote on Governor's amendments to HB 175, second reading, from yes to no. Motion carried.

Representative Barnett moved he be allowed to change his vote on SB 8, second reading, from no to yes. Motion carried.

Representative S. Rice moved she be allowed to change her vote on Governor's amendments to HB 244, second reading, from no to yes. Motion carried.

Representative Peck moved HB 282, HB 553, HB 827 and HB 923 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

HOUSE JOURNAL
REGULAR SESSION

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Monday, March 11, 1991. Motion carried.

House adjourned at 12:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 11, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend Lowell Anderson. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forth-sixth legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Ms. Shelly Chauvett, a senior honor student from Big Sandy High School, performed a choral rendition for the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/11/91
Correctly printed: HB 514, HB 651, HB 728, HB 742, HB 833, HB 937.
Correctly engrossed: HB 131, HB 146, HB 441, HB 543, HB 629, HB 732,
HB 757, SB 8, SB 15, SB 22, SB 77, SB 89, SB 91, SB 95, SB 98,
SB 116, SB 119, SB 134, SB 152, SB 167, SB 168, SB 179, SB
180, SB 181, SB 194, SB 196, SB 202, SB 230, SB 244, SJR 9.
Correctly enrolled: HB 39, HB 434, HB 439, HB 453, HB 456, HJR 27.

APPROPRIATIONS (Bardanouve, Chairman): 3/11/91
HB 798, introduced bill, do pass. Report adopted.
HB 913, introduced bill, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):
3/11/91
SB 131, third reading copy, be concurred in and be placed on the consent
calendar. Report adopted.
SB 190, third reading copy, be concurred in. Report adopted. 3/8/91
SB 206, third reading copy, be concurred in. Report adopted. 3/11/91

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/9/91

HB 54, introduced by L. Nelson
HB 102, introduced by Russell
HB 135, introduced by Lee
HB 156, introduced by Toole
HB 177, introduced by Toole
HB 221, introduced by Toole
HB 227, introduced by Larson
HB 256, introduced by Driscoll
HB 288, introduced by Strizich
HB 367, introduced by J. Brown
HB 432, introduced by Cody

HB 450, introduced by Harper

HB 480, introduced by Lee

HB 529, introduced by Feland

HB 599, introduced by Mercer

HJR 15, introduced by Wallin

House bill concurred in as amended and returned to the House for
concurrence in Senate amendments: 3/9/91

HB 123, introduced by Hansen

Senate bills passed and transmitted to the House for concurrence:
3/9/91

SB 269, introduced by Aklestad

SB 284, introduced by Eck

SB 345, introduced by Gage

SB 370, introduced by Waterman

SB 385, introduced by Keating

SB 391, introduced by Keating

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to
committee:

HB 985, introduced by Raney, referred to Committee on Taxation

The following Senate bills were introduced, read first time, and referred to
committee:

SB 269, introduced by Aklestad, Boharski (by request of the Department
of Social and Rehabilitation Services), referred to Committee on
Appropriations

SB 284, introduced by Eck, Lynch, Ream (by request of the Montana
Children's Trust Fund Board), referred to Committee on Human Services
and Aging

SB 345, introduced by Gage, referred to Committee on Taxation

SB 370, introduced by Waterman, Franklin (by request of the Department
of Justice), referred to Committee on Taxation

SB 385, introduced by Keating (by request of the Department of Family
Services), referred to Committee on Appropriations

SB 391, introduced by Keating (by request of the Department of Social and
Rehabilitation Services), referred to Committee on Appropriations

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of
the Whole for consideration of business on second reading. Motion carried.
Representative Measure in the Chair.

March 11, 1991

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 558 - Representative Ream moved HB 558 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cobb, R. DeBruycker, Feland, Grinde, Kasten, Peterson, Phillips, Simpkins.

Total 8

Excused: Ellison.

Total 1

Absent or not voting: Cohen.

Total 1

HJR 24 - Representative Ream moved HJR 24 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Boharski, Cobb, R. DeBruycker, Feland, Grinde, Simpkins.

Total 6

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 85 - Representative McCarthy moved SB 85 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 86 - Representative Ream moved SB 86 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Boharski, Grinde.

Total 2

Excused: Ellison.

Total 1

March 11, 1991

Absent or not voting: Elliott.

Total 1

HB 38 - Representative Grady moved Senate amendments to HB 38 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 55 - Representative Madison moved Senate amendments to HB 55 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergsagel, Feland, Grinde, H. S. Hanson, Kadas, Kasten, Knox, McCaffree, Peterson, Swysgood, Tunby.

Total 11

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 69 - Representative Whalen moved Senate amendments to HB 69 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 77

Noes: Bachini, Barnett, Boharski, Clark, Cocchiarella, Feland, Foster, Grinde, Kadas, Kasten, Kilpatrick, Knox, McCaffree, Peck, J. Rice, Simpkins, Spring, Stang, Strizich, Swysgood, Thomas, Zook.

Total 22

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 82 - Representative Stang moved Senate amendments to HB 82 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bachini, Boharski, Peck, Peterson.

Total 4

Excused: Ellison.

Total 1

March 11, 1991

Absent or not voting: None.

Total 0

HB 114 - Representative D. Brown moved Senate amendments to HB 114 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bachini, Boharski, Peck.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: Toole.

Total 1

HB 148 - Representative Toole moved Senate amendments to HB 148 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Benedict, Grinde, Peck.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 225 - Representative Phillips moved Senate amendments to HB 225 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, Brooke, D. Brown, Knox, Measure, Nisbet, O'Keefe.

Total 7

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 231 - Representative Cobb moved Senate amendments to HB 231 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: Galvin.

Total 1

HB 113 - Representative Lee moved the conference committee report #1 to HB 113 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 164 - Representative Cobb moved HB 164 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 94

Noes: J. DeBruycker, Southworth, Stang, Whalen, Wyatt.

Total 5

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 423 - Representative Kadas moved HB 423 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 497 - Representative Darko moved HB 497 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.

Total 74

Noes: Benedict, Bergsagel, Boharski, Cobb, Connelly, R. DeBruycker, Elliott, Feland, Foster, H. S. Hanson, M. Hanson, Hayne, Kasten, Larson, Lee, Mercer, L. Nelson, Peterson, Phillips, Simpkins, Stang, Stepler, Thomas, Wanzenried, Zook.

Total 25

Excused: Ellison.

Total 1

Absent or not voting: None.
Total 0

HB 738 - Representative Elliott moved consideration of HB 738 be passed for the day. Motion carried.

HB 813 - Representative O'Keefe moved HB 813 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bergsagel, Cobb, Connelly, Ellis, Feland, Foster, Gilbert, Hayne, Hoffman, Kasten, Keller, Mercer, T. Nelson, Peterson, Phillips, Spring, Stang, Stepler, Thomas.
Total 19

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

HB 897 - Representative Zook moved HB 897 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 3 - Representative Bardanouve moved Senate amendments to HB 3 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bachini, Peck.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 101 - Representative Russell moved Senate amendments to HB 101 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bergsagel, D. Brown, Clark, Cobb, Driscoll, Feland, Forrester, Foster, Gilbert, Grinde, Hayne, Kasten, Knox, McCaffree, Menahan, Peterson, Simpkins, Spring.

Total 18

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 10 - Representative Scott moved SB 10 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Boharski, Cobb, Grinde, Phillips, Stang.

Total 6

Excused: Ellison.

Total 1

Absent or not voting: Cohen.

Total 1

SB 14 - Representative Driscoll moved SB 14 be concurred in. Motion carried as follows:

Ayes: Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bachini, R. DeBruycker, Peck.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: Hoffman, Larson.

Total 2

SB 28 - Representative Driscoll moved SB 28 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bachini, R. DeBruycker, Feland, Peck.

Total 4

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 30 - Representative Driscoll moved SB 30 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 63

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Feland, Forrester, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 36

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

SB 88 - Representative Schye moved consideration of SB 88 be passed for the day. Motion carried.

SB 97 - Representative McCaffree moved SB 97, third reading copy, be amended as follows (amendment #1):

1. Page 2, line 25.
Following: "~~on~~"
Strike: "WITHIN 30 FEET"
Insert: "no closer than 30 feet of the centerline"

2. Page 3, line 1.
Strike: "edge of the"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 79

Noes: Barnhart, Brooke, Cocchiarella, Cohen, Connelly, Daily, J. DeBruycker, Harrington, L. Nelson, Nisbet, Pavlovich, Raney, Ream, Stang, Wanzenried, Wyatt.
Total 16

Excused: Ellison.
Total 1

Absent or not voting: Grinde, Hoffman, Lee, Spring.
Total 4

Representative McCaffree moved consideration of SB 97 be placed below SB 200 on the second reading board. Motion carried.

SB 130 - Representative Wanzenried moved SB 130 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Barnett, Peterson, Spring, Wallin, Whalen.
Total 5

Excused: Ellison.
Total 1

Absent or not voting: Hoffman, Kadas, Lee.
Total 3

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Measure moved the adoption of the committee report. Report adopted. (93-5)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/11/91

Examined by the sponsor and found to be correct:

HB 27 - Bachini
HB 39 - Peck
HB 434 - McCaffree
HB 439 - Barnett
HB 453 - Fagg
HB 456 - J. Rice

Signed by the Speaker at 2:25 p.m., 3/11/91: HB 39, HB 434, HB 439, HB 453, HB 456, HJR 27.

Delivered to the Governor for his approval at 2:30 p.m., 3/11/91: HB 23, HB 115, HB 154, HB 326.

JUDICIARY (Strizich, Chairman): 3/11/91

SB 204, third reading copy, be amended as follows:

1. Title, line 6.
Following: "FOR"
Insert: "FELONY"

2. Title, lines 7 and 8.

Strike: "PROVIDING GOVERNMENTAL IMMUNITY UNDER CERTAIN CIRCUMSTANCES;"

3. Page 1, line 22.

Following: "drug"

Insert: "felony"

4. Page 4, line 20 through page 5, line 10.

Strike: section 3 in its entirety

Renumber: subsequent sections

5. Page 8, line 25.

Page 9, line 3.

Strike: "through 4"

Insert: "and 3"

6. Page 9, lines 4 through 7.

Strike: section 7 in its entirety

And, as amended, be concurred in. Report adopted.

SB 249, third reading copy, be amended as follows:

1. Page 10, line 3.

Following: "that"

Insert: "the merits of public disclosure clearly exceed"

2. Page 10, lines 3 and 4.

Strike: "do not clearly exceed the merits of public disclosure"

And, as amended, be concurred in. Report adopted.

SB 364, third reading copy, be amended as follows:

1. Page 1.

Following: line 23

Insert: "NEW SECTION. Section 2. Coordination instruction. If Senate Bill No. 51 is passed and approved and if it includes a new section entitled "Videotaped testimony", which appears at page 177, line 10, of the second reading yellow copy, then that section is amended by inserting in the first sentence, after "45-5-507", the words "or for prosecution of any offense against the person provided for in Title 45, chapter 5, involving a victim who is under 16 years of age" and [section 1 of this act], amending 46-15-401, is void."

And, as amended, be concurred in. Report adopted.

SB 444, third reading copy, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 909 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook.

Total 88

Noes: Bachini, Cohen, Elliott, Foster, M. Hanson, Peck, Peterson, Spring, Wallin, Mr. Speaker.

Total 10

Excused: Ellison.

Total 1

Absent or not voting: Kadas.

Total 1

HJR 23 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 91

Noes: Bergsagel, Cromley, McCaffree, Peterson, Swysgood, Wyatt, Zook.

Total 7

Excused: Ellison.

Total 1

Absent or not voting: Kadas.

Total 1

SB 8 - Representative Driscoll moved consideration of SB 8 be passed for the day. Motion carried.

SB 15 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Madison, McCaffree, Measure, O'Keefe, Peck, Peterson, Raney.

Total 12

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 22 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Bergsagel.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 77 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bachini, Driscoll, Peck.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 89 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: D. Brown, Cobb, Forrester, Hoffman, Peterson.

Total 5

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

March 11, 1991

SB 91 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cohen, O'Keefe, Peck.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 95 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cohen, Feland, Gilbert, Raney.

Total 4

Excused: Ellison.

Total 1

Absent or not voting: Daily.

Total 1

SB 98 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

SB 108 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

March 11, 1991

SB 116 concurred in as follows:

Ayes: Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.

Total 85

Noes: Bachini, Barnhart, Cody, Cohen, Connelly, R. DeBruycker, Grinde, Measure, Peck, Raney, Swysgood, Thoft, Wanzenried, Wyatt.

Total 14

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 119 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Forrester, Measure, Peck.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 134 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Gilbert, Peck, Raney.

Total 3

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 135 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: McCaffree.

Total 1

SB 139 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Gilbert, Measure.
Total 2

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

SB 152 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 79

Noes: Bergsagel, D. Brown, Cohen, R. DeBruycker, Gilbert, Grinde, Hayne, McCaffree, Pavlovich, Peck, Peterson, Phillips, Quilici, Stang, Stepler, Swysgood, Thoft, Wanzenried, Zook.
Total 19

Excused: Ellison.
Total 1

Absent or not voting: Beck.
Total 1

SB 158 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Boharski, Bradley, Cobb, Cromley, R. DeBruycker, Fagg, Grinde, Hoffman, Keller, Knox, Larson, Lee, Messmore, T. Nelson, Peterson, Phillips, Ream, Swysgood, Zook.

Total 19

Excused: Ellison.

Total 1

Absent or not voting: Ellis.

Total 1

SB 162 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, R. DeBruycker, Measure, O'Keefe, Peck, Raney.

Total 6

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

March 11, 1991

SB 167 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: S. J. Hansen.

Total 1

SB 168 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel, Peck.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 181 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cobb, Feland, Forrester, Gilbert, Grinde, Peck, Swysgood.
Total 7

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

SB 194 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Bachini, Bergsagel, D. Brown, Clark, Cobb, Forrester, Gilbert, Kasten, Peterson, Phillips, Spring, Stang.
Total 12

Excused: Ellison.
Total 1

Absent or not voting: Cohen, Squires.
Total 2

March 11, 1991

SB 196 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 98

Noes: Wyatt.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 201 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bergsagel, Boharski, D. Brown, Feland, Hoffman, Peck.

Total 6

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 202 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: S. J. Hansen.

Total 1

SB 230 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: R. DeBruycker, Driscoll, McCaffree, T. Nelson, Peck, Thomas.

Total 6

Excused: Ellison.

Total 1

Absent or not voting: Feland.

Total 1

March 11, 1991

SB 244 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: Kadas.

Total 1

SJR 9 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Barnett, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Feland, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, T. Nelson, Peterson, Phillips, Simpkins, Spring.

Total 17

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 175, Governor's amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 84

Noes: Bachini, Bergsagel, R. DeBruycker, Feland, Grinde, Hayne, Kasten, McCaffree, Peck, Phillips, Swysgood, Thoft, Zook.

Total 13

Excused: Ellison.

Total 1

Absent or not voting: S. Rice, Squires.

Total 2

HB 24, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Becker, R. DeBruycker.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 26. Motion carried.

Representative Driscoll moved HB 514 and HB 728 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Bradley moved HB 977 be taken from the Committee on Human Services and Aging and rereferred to the Committee on Appropriations. Motion carried.

Representative Peck moved HB 497 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

Representative Ellis moved he be allowed to change his vote on HB 497, second reading, from no to yes. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the Conference Committee to meet on Senate amendments to HB 26:

Representative Cody, Chairperson
Representative D. Brown
Representative J. Rice

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Murph Clarke, Rexford
Michael Comes At Night, Heart Butte
Erin Halcro, Great Falls
Tiffany Hagen, Glendive
Andy Hallmark, Glasgow
Russ Holman, Helena
Steven Love, Townsend
Dean Oscar, Browning
Tisha Hutchison, Polson, Page to Minority Office

Representative Driscoll moved the House adjourn until 1:00 p.m., Tuesday, March 12, 1991. Motion carried.

House adjourned at 3:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 12, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative J. Rice. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the forty-seventh, forty-eighth and forty-ninth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/12/91
Correctly printed: HB 798, HB 913.
Correctly engrossed: HB 164, HB 423, HB 558, HB 813, HB 897, HJR 24,
SB 10, SB 14, SB 28, SB 30, SB 85, SB 86, SB 130, SB 131.
Delivered to the Governor for his approval at 8:37 a.m., 3/12/91: HB 39,
HB 434, HB 439, HB 453, HB 456.
Delivered to the Secretary of State at 9:30 a.m., 3/12/91: HJR 27

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):
3/12/91

Adverse Committee Report

HB 861, introduced bill, be amended as follows:

1. Title, line 4.
Following: "THAT"
Insert: "UP TO"

2. Page 2, line 16.
Following: "[c]"
Insert: "up to"

And, as amended, do not pass.

FISH AND GAME (Elliott, Chairman): 3/12/91
SB 171, third reading copy, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/11/91
SB 80, third reading copy, be concurred in. Report adopted.
SB 122, third reading copy, be concurred in. Report adopted.
SB 290, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

JUDICIARY (Strizich, Chairman): 3/11/91
SB 170, third reading copy, be amended as follows:

1. Page 2.
Following: line 14

Insert: "NEW SECTION. Section 2. Coordination instruction. If Senate Bill No. 51 is passed and approved and if it includes a section amending 46-18-111, then 46-18-111 is amended by the insertion of the following language at the end of subsection (1) of 46-18-111 and [section 1 of this act] is void:

"The investigation must include an evaluation of the defendant and a recommendation as to treatment by a person qualified under guidelines established by the department of institutions. All costs related to the evaluation must be paid by the defendant. If the defendant is determined by the court to be indigent, all costs related to the evaluation are the responsibility of the district court and must be paid by the department of commerce under Title 3, chapter 5, part 9."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 3/12/91
SB 237, third reading copy, be concurred in. Report adopted.
SB 343, third reading copy, be concurred in. Report adopted.

LOCAL GOVERNMENT (Wyatt, Chairman): 3/12/91
HB 939, introduced bill, do pass. Report adopted.
SB 102, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.
SB 160, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.
SB 224, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 66
Report No. 1, March 8, 1991

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 66, met and considered on March 8, 1991:

1. House Committee on Human Services and Aging Amendments to the third reading copy, dated February 11, 1991; and
2. House Committee of the Whole Amendments to the third reading copy, dated February 13, 1991.

We recommend that Senate Bill No. 66 (reference copy - salmon as amended) be amended as follows:

1. Page 6, line 7.
Following: "(PITOCIN)"

Insert: ", provided that naturopathic physicians may administer and, may not prescribe or dispense, oxytocin (pitocin)"

And that this Conference Committee report be adopted.

For the Senate:

Chair, Halligan
Rea
Gage

For the House:

Chair, Bradley
Becker
R. Johnson

Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/11/91

HB 345, introduced by Quilici

HB 695, introduced by Davis

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/11/91

HB 90, introduced by Cobb

HB 118, introduced by J. Brown

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Foster in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 738 - Representative Elliott moved consideration of HB 738 be passed for the day. Motion carried.

SB 88 - Representative Harrington moved SB 88 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,

Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: Tunby.

Total 1

SB 97 - Representative McCaffree moved SB 97, third reading copy, be amended as follows (amendment #1):

1. Page 3, line 6.

Following: "(A)."

Strike: "WITHIN 30 FEET OF THE EDGE"

Insert: "no closer than 30 feet of the centerline"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: Tunby.

Total 1

Representative McCaffree moved SB 97, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.

March 12, 1991

DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Feland, Raney, Southworth, Swysgood, Thoft.

Total 5

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 141 - Representative Schye moved SB 141 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 200 - Representative Squires moved SB 200 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: R. DeBruycker.
Total 1

Excused: Ellison.
Total 1

Absent or not voting: H. S. Hanson.
Total 1

SB 372 - Representative Messmore moved SB 372 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Kasten.
Total 1

Excused: Ellison.
Total 1

Absent or not voting: Kadas.
Total 1

SJR 12 - Representative Hoffman moved SJR 12 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Cody, Nisbet.
Total 3

Excused: Ellison.
Total 1

Absent or not voting: Elliott, Kadas.
Total 2

SJR 13 - Representative Bardanouve moved SJR 13 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Ellison.
Total 1

Absent or not voting: Kadas, S. Rice.
Total 2

SJR 14 - Representative Stepler moved SJR 14 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 75

Noes: Barnett, Benedict, Bergsagel, Clark, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, Hayne, Hoffman, R. Johnson, Kasten, Mercer, T. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Tunby, Zook.

Total 24

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 651 - Representative Harrington moved consideration of HB 651 be placed below HB 833 on the second reading board. Motion carried.

HB 742 - Representative Wanzenried moved HB 742 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: T. Nelson, Swysgood.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: Squires.
Total 1

HB 833 - Representative Lee moved HB 833 do pass.

Representative Lee made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Lee moved HB 833, second reading copy, be amended as follows (amendment #1):

1. Title, line 13.

Following: "DEVICES"

Insert: "AND RULES REGARDING NOISE RESTRICTIONS APPLICABLE TO
MOTORBOATS OPERATED ON CERTAIN RIVERS AND STREAMS"

2. Page 3, line 2.

Following: line 1

Insert: "(3) A statement of intent is further required because 23-2-521(9) requires the fish and game commission to adopt rules regarding noise restrictions applicable to motorboats operated on rivers or streams. The legislature recognizes that decibel levels established in this bill for motorboats operated on other waters of this state may not be appropriate when applied to narrow rivers or streams. Therefore, it is intended that the fish and game commission adopt rules providing for:

(a) designation of rivers or streams 300 feet wide or less that are subject to motorboat noise restrictions; and

(b) setting of appropriate decibel levels, which may be more or less strict than the levels established in 23-2-521, 23-2-523, and 23-2-526, for motorboats operated on designated rivers or streams, based on density of use of the river or stream and the proximity of residences adjacent to the designated river or stream."

3. Page 9, line 3.

Strike: "or"

4. Page 9, line 6.

Following: "research"

Insert: "; or

(iv) operated on a river or stream 300 feet wide or less and subject to fish and game commission rule"

5. Page 10, line 11.

Following: line 10

Insert: "(9) The fish and game commission shall adopt rules designating rivers or streams 300 feet wide or less where motorboat noise regulations apply and set appropriate decibel limits applicable to the operation of motorboats on those designated rivers or streams."

Renumber: subsequent subsection

6. Page 13, line 6.

Strike: "A"

Insert: "Unless operated on a river or stream in compliance with a commission rule adopted under 23-2-521(9), a"

7. Page 15, line 4.

Following: "state"

Insert: "or when operated on a river or stream in compliance with a commission rule adopted under 23-2-521(9)"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: Bardanouve, S. J. Hansen.

Total 2

Representative Lee moved HB 833, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Gervais, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Strizich, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.

Total 69

Noes: Beck, Bergsagel, D. Brown, Cody, Cromley, Daily, J. DeBruycker, R. DeBruycker, Forrester, Gilbert, Gould, Grinde, S. J. Hansen, Kasten, Kilpatrick, McCarthy, McCulloch, L. Nelson, Phillips, Quilici, Scott, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Wyatt.

Total 28

Excused: Ellison.

Total 1

Absent or not voting: Galvin, Whalen.

Total 2

HB 651 - Representative Harrington moved HB 651 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cromley, R. DeBruycker, Peterson, Phillips.

Total 4

Excused: Ellison.

Total 1

Absent or not voting: Lee.

Total 1

HB 937 - Representative Stickney moved consideration of HB 937 be passed for the day. Motion carried.

SB 204 - Representative Boharski moved SB 204 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 67

Noes: Barnett, Benedict, Bergsagel, Daily, Davis, R. DeBruycker, Dowell, Ellis, Feland, Foster, Gilbert, Gould, Grinde, Hayne, Knox, McCaffree, McCarthy, McCulloch, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici,

Simpkins, Spring, Stepler, Swysgood, Thoft, Wallin, Zook.
Total 31

Excused: Ellison.
Total 1

Absent or not voting: Stang.
Total 1

SB 206 - Representative Larson moved SB 206 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Stepler.
Total 1

Excused: Ellison.
Total 1

Absent or not voting: Lee.
Total 1

SB 249 - Representative Boharski moved SB 249 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Measure, Russell.
Total 2

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

SB 364 - Representative Darko moved SB 364 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wyatt, Zook.
Total 83

Noes: Bardanouve, Beck, Boharski, Cohen, Cromley, J. DeBruycker, Feland, Forrester, M. Hanson, Measure, Phillips, Thoft, Wanzenried, Whalen, Mr. Speaker.
Total 15

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

SB 444 - Representative Stickney moved SB 444 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 91

Noes: Barnhart, Boharski, Cohen, Dowell, McCaffree, Spring, Wyatt.
Total 7

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

HB 123 - Representative Hansen moved Senate amendments to HB 123 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: S. Rice.
Total 1

SB 3 - Representative L. Nelson moved Governor's amendments to SB 3 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 93

Noes: Clark, Forrester, O'Keefe, Thomas, Zook.
Total 5

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Foster moved the adoption of the committee report. Report adopted. (93-4)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):
3/12/91

SB 169, third reading copy, be concurred in. Report adopted.
SB 248, third reading copy, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):
3/12/91
SB 58, third reading copy, be amended as follows:

1. Title, line 12.
Following: "TOWNS"
Insert: "AND AN EXCEPTION FOR THE DEPARTMENT OF INSTITUTIONS"
2. Page 2, line 17.
Following: "the county."
Insert: "Medical expenses for an inmate detained as a probation violator may not be charged to the department of institutions."
3. Page 3, lines 14 and 15.
Strike: "AS AGREED UPON BY THE ARRESTING AGENCY AND THE DETENTION CENTER"
Insert: "at a rate agreeable to the detention center and covering the reasonable confinement costs"
4. Page 3, line 22.
Following: "the county."
Insert: "Costs of confining a probation violator may not be charged to the department of institutions."

And, as amended, be concurred in. Report adopted.

SB 214, third reading copy, be concurred in. Report adopted.
SB 228, third reading copy, be concurred in. Report adopted.
SB 398, third reading copy, be amended as follows:

1. Page 3, line 18.
Following: line 17

Insert: "NEW SECTION. Section 2. Coordination instruction. If House Bill No. 668 is passed and approved, then the amendment in [this act] must be codified both as 45-5-624(2)(a)(iii) and 45-5-624(2)(b)(iii) and relate both to persons less than 18 years of age and persons 18 years of age or older."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
SB 173, third reading copy, be amended as follows:

3/12/91

1. Title, line 10.
Following: "PRACTICES;"
Strike: "AND"

2. Title, line 11.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3.
Following: line 24
Insert: "NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 358, third reading copy, be concurred in. Report adopted.
SB 399, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.
SB 423, third reading copy, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 131 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Benedict, Bergsagel, Clark, Cobb, J. DeBruycker, R. DeBruycker, Feland, Gilbert, Grinde, M. Hanson, Keller, Knox, McCaffree, L. Nelson, T.

Nelson, Phillips, Simpkins, Swysgood, Thoft, Thomas.
Total 20

Voted Absentee: Swysgood, No.

Excused: Ellison.
Total 1

Absent or not voting: Kasten.
Total 1

HB 146 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel.
Total 1

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: Feland.
Total 1

HB 441 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker, Elliott, McCaffree, Stang.
Total 4

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

HB 543 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

HB 629 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Peck.
Total 2

March 12, 1991

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: T. Nelson.

Total 1

HB 732 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Bachini, Benedict, Bergsagel, Cobb, Ellis, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, McCaffree, McCulloch, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Spring, Stang, Swysgood, Thoft, Thomas, Tunby.

Total 27

Voted Absentee: Swysgood, No.

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 757 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Barnett, Bergsagel, Feland, S. J. Hansen, H. S. Hanson, Kasten, Peterson, Simpkins.

Total 8

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

SB 10 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel.

Total 1

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

SB 14 concurred in as follows:

Ayes: Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bachini, R. DeBruycker, Peck.

Total 3

Excused: Ellison, Swysgood.

Total 2

March 12, 1991

Absent or not voting: S. J. Hansen.

Total 1

SB 28 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bachini, Barnett, R. DeBruycker, Feland, Peck, Spring.

Total 6

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: T. Nelson.

Total 1

SB 30 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, R. DeBruycker, Ellis, Feland, Forrester, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 39

Voted Absentee: Swysgood, No.

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 85 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: J. DeBruycker.

Total 1

SB 86 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

SB 130 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Barnett, Peck, Peterson, Spring, Wallin.

Total 5

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: S. J. Hansen.

Total 1

HB 3, Senate amendments, concurred in as follows:

Ayes: Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bachini, Peck.

Total 2

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

HB 38, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: J. DeBruycker.

Total 1

HB 55, Senate amendments, concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 83

Noes: Bachini, Bardanouve, Bergsagel, Feland, Foster, Grinde, H. S. Hanson, Kadas, Kasten, Knox, Peck, Peterson, Swysgood, Tunby, Wyatt, Zook.

Total 16

Voted Absentee: Swysgood, No.

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

HB 69, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 80

Noes: Bachini, Barnett, Bergsagel, Boharski, Clark, Cocchiarella, Feland, Foster, Gilbert, Grinde, Kasten, Knox, McCaffree, Peck, Peterson, Simpkins, Thomas, Zook.

Total 18

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

HB 82, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Peterson, Southworth.

Total 3

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

HB 101, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Clark, Feland, Hayne, Kasten, Knox, Peterson, Spring.
Total 7

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

HB 114, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

HB 148, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bachini, Benedict, Clark, Peck.
Total 4

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: None.
Total 0

HB 225, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Boharski, Brooke, Cohen, Elliott, Gervais, Knox, Measure, Nisbet, O'Keefe, Peck, Wanzenried.
Total 11

Excused: Ellison, Swysgood.
Total 2

Absent or not voting: J. Rice.
Total 1

HB 231, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

HB 113, conference committee report #1, adopted as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Whalen.

Total 1

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: None.

Total 0

March 12, 1991

SB 179 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck.

Total 1

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: McCarthy.

Total 1

SB 180 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Ellison, Swysgood.

Total 2

Absent or not voting: Cohen, Toole.

Total 2

MOTIONS

Representative Driscoll moved HB 937 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of three House Joint Resolutions. Motion carried.

Representative Gervais moved he be allowed to change his vote on Senate amendments to HB 148, third reading, from no to yes. Motion carried.

Representative Bachini moved the rules be suspended to permit the late drafting and introduction of a House Joint Resolution. Motion carried.

Representative Simpkins moved the rules be suspended to allow him to be recorded as voting yes on SB 85, third reading. Motion carried.

Representative Boharski moved he be allowed to change his vote on Senate amendments to HB 55, third reading, from no to yes. Motion carried.

Representative Knox moved he be allowed to change his vote on HB 131, third reading, from yes to no. Motion carried.

Representative Lee moved Representative Boharski be added as a sponsor to HB 833. Motion carried.

ANNOUNCEMENTS

Mr. Mike Cooney, Secretary of State:

February 22, 1991

Thank you for Senate Joint Resolution No. 5. The caring expressed by our legislative body and all the other beautiful people of Montana means more than I can express with words for our citizen/soldier, men and women of the 159th SPT GP. Activation of the reserve from this command includes units from Kalispell, Missoula, Bozeman, Great Falls and Lewistown with volunteers from Billings, Butte and Havre. It would be my desire that other units of this command be recognized even though they are from North and South Dakota. It would be a nice gesture to have our legislature say hello to units from Bismarck, North Dakota and Aberdeen, South Dakota. Information about the command of the 159th SPT GP will be furnished by Mr. Terry Fong of the SSA located at the Reserve Center, 501 Euclid Avenue, 449-2618. To the best of my knowledge, approximately thirteen units of the 159th SPT GP were activated. I attempt to visit each unit in Saudi Arabia if I know their location. I will also visit the Montana National Guard units that were activated, but have not been able to find units in this area of operation. Montana, be proud of your soldiers, active, reserve or guard, they are the very best.

Col. Jim Martin
QM Commanding
HQ 159th SPT GP
AFKC-ACC-BJ
501 Euclid Ave.

Helena, MT 59601-2897
Comm. (406) 449-2618

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Wednesday, March 13, 1991. Motion carried.

House adjourned at 3:05 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 13, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Father John Darragh. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fiftieth and fifty-first legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

The Browning Napi Cultural Club, consisting of 4th and 5th grade honor roll students, performed for the House. The students have acted as good-will ambassadors for the Douglas Gold School, Town of Browning, Blackfeet Indian Reservation, the State of Montana, and, above all, themselves. Among the dancers today is the grandchild of Representative "Bob" Gervais.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/13/91
Correctly printed: HB 939.
Correctly engrossed: HB 651, HB 742, HB 833, SB 88, SB 97, SB 102, SB 141, SB 160, SB 200, SB 204, SB 206, SB 224, SB 249, SB 290, SB 364, SB 372, SB 399, SB 444, SJR 12, SJR 13, SJR 14.
Correctly enrolled: HB 58.
Examined by the sponsor and found to be correct:
HB 58 - Driscoll

APPROPRIATIONS (Bardanouve, Chairman): 3/12/91
HB 251, second reading copy, be amended as follows:

1. Page 2.
Following: line 2.
Insert: "NEW SECTION. Section 1. Provision of professional actuarial consulting services. The joint select committee on workers' compensation may consult with a professional actuary in determining the liability for claims for injuries resulting from accidents that occurred before July 1, 1990, on an annual basis following the close of the fiscal year ending June 30, 1991."
Renumber: subsequent sections

2. Page 2, line 6.
Strike: "\$15,000"
Insert: "\$70,000"

3. Page 2, line 8.
Following: "to"
Insert: "provide professional actuarial consulting services and"

And, as amended, do pass. Report adopted.

HB 953, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "department"

Insert: ", in cooperation with the board,"

And, as amended, do pass. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

3/13/91

HB 901, introduced bill, be amended as follows:

1. Title, lines 8 and 9.

Strike: "FOR RECAPTURE OF TAX CREDITS UNDER THE ACT"

Insert: "THAT INVESTORS ARE SUBJECT TO THE PENALTY FOR FAILURE
TO MAKE QUALIFIED INVESTMENTS"

2. Title, line 13.

Strike: "AND"

Insert: ", "

3. Title, line 15.

Following: "INVESTMENT"

Insert: ", AND HAVING BEEN A QUALIFIED MONTANA CAPITAL COMPANY
FOR AT LEAST 5 YEARS FROM THE DATE OF QUALIFICATION"

4. Page 3, line 19.

Strike: "or"

5. Page 3, line 23.

Following: "company"

Insert: "; or

(c) a debt or equity financing of an acquisition of a non-
Montana business that will be relocated in Montana"

6. Page 8, line 24.

Strike: "(1) Except as provided in subsection (2), if"

Insert: "If"

7. Page 9, line 4.

Strike: "company"

Insert: "investor"

8. Page 9, lines 6 through 12.

Strike: subsection (2) in its entirety

9. Page 11, line 7.

Strike: "A"

Insert: "Investors in a"

10. Page 11, line 10.

Strike: "taxpayers"

Insert: "investors"

11. Page 11, line 14.

Following: "if the"

Insert: "investors or"

12. Page 11, line 25.

Following: "[6]"

Strike: "An"

Insert: "A capital company may invest tax credit funds in an"

13. Page 11, line 25 through page 12, line 1.

Strike: "may be financed by tax credit funds to the extent that the funds are"

Insert: "only if a substantial portion of the investment is to be"

14. Page 12, lines 2 through 4.

Following: "business." on line 2

Strike: remainder of line 2 through "meeting" on line 4

Insert: "The department may limit the amount of the investment to be counted toward"

15. Page 12, line 5.

Strike: "outlined"

Insert: "set forth"

Following: "section"

Insert: "to the amount to be used for the expansion of the business"

16. Page 14, lines 2 and 3.

Strike: "for which tax credits will be claimed. The"

Insert: "to be made from its capital base. The capital company may not make the proposed investment unless the"

Strike: "shall determine"

Insert: "determines, within 10 days of submission of a report satisfactory to the department,"

17. Page 14, line 4.

Strike: "whether"

Insert: "that"

18. Page 14, line 5.

Strike: "before the investment is made"

19. Page 16, line 9.

Following: "investments"

Insert: "and after at least 5 years have elapsed since the date the capital company was qualified"

20. Page 16, line 12.

Following: "chapter."

Insert: "Fees for the administration of this chapter must be assessed to each qualified Montana capital company in a ratio proportionate to the tax credits allocated to the capital company divided by the total tax credits allocated to all qualified Montana capital companies."

And, as amended, do pass. Report adopted.

SB 323, third reading copy, be concurred in. Report adopted.

SB 433, third reading copy, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

3/13/91

HB 950, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Strike: "CREATING" on line 6 through "FEE;" on line 7

2. Title, line 7.

Following: "ESTABLISHING"

Insert: "A"

3. Title, line 8.

Strike: "OVERSIGHT"

Insert: "STUDY COMMITTEE AND REQUIRING A REPORT TO THE
LEGISLATURE"

4. Title, lines 8 and 9.

Strike: "AMENDING SECTIONS 50-15-103 AND 50-15-201, MCA;"

5. Title, line 10.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

6. Page 4, lines 20 through 25.

Strike: lines 20 through 25

7. Page 5, line 4.

Strike: "through 4"

Insert: "and 2"

8. Page 7, line 17 through line 11 on page 8.

Following: line 16

Strike: section 3 in its entirety

Renumber: subsequent sections

9. Page 8, line 12.

Strike: "oversight"

Insert: "study"

10. Page 8, line 14.

Strike: "oversight"

Insert: "study"

Strike: "12"

Insert: "nine"

11. Page 8, line 16.

Strike: "six"

Insert: "four"

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12. Page 8, line 17.

Strike: "three"

Insert: "two"

13. Page 8, line 18.

Strike: "and"

14. Page 8, line 19.

Strike: "six"

Insert: "four"

Strike: "three"

Insert: "two"

15. Page 8, line 21.

Following: "committees"

Insert: "; and"

(iii) a representative of the governor's office appointed by the governor, who is a member of the governor's staff or an agency head or his designee and who is concerned with and knowledgeable in the issues to be studied by the committee. The member appointed by the governor is a nonvoting member"

16. Page 8, line 24.

Strike: "oversight"

Insert: "study"

17. Page 9, line 7.

Strike: the second "and"

18. Page 9, line 9.

Following: "assistance"

Insert: ";

(d) study the healthy start program in Hawaii, including the laws, administrative rules, and administrative policies used to implement that program in Hawaii;

(e) study methods of interagency coordination of programs and services for families and children; and

(f) report the results of its study, including recommendations for implementation of the policy and guiding principles expressed in [section 2] and any proposed legislation, changes in administrative rules, or changes in administrative practices necessary to implement those recommendations, in a written report to the 53rd legislature no later than November 30, 1992. The committee shall also provide copies of its report to the governor and appropriate state agencies"

19. Page 9, line 12.

Strike: "oversight"

Insert: "study"

20. Page 9.

Following: line 13

Insert: "(4) The committee may apply for and accept funds from any federal, private, or other source to assist the committee in carrying out its function."

Renumber: subsequent subsections

21. Page 9, line 14.

Strike: "oversight"

Insert: "study"

22. Page 9, line 18.

Strike: "Members"

Insert: "Legislative members"

23. Page 9, line 20 through page 10, line 24.

Following: line 19

Strike: sections 5 and 6 in their entirety

Renumber: subsequent sections

24. Page 10.

Following: line 24

Insert: NEW SECTION. Section 4. Termination. [Section 3] terminates January 6, 1993."

25. Page 11, line 4.

Strike: "oversight"

Insert: "study"

Strike: "4"

Insert: "3"

26. Page 11, line 5.

Strike: "4"

Insert: "3"

27. Page 11, line 6.

Strike: "7"

Insert: "5"

And, as amended, do pass. Report adopted.

SB 146, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 217, third reading copy, be concurred in. Report adopted.

SB 259, third reading copy, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/13/91

SB 165, third reading copy, be concurred in. Report adopted.

SB 225, third reading copy, be concurred in. Report adopted.

SB 402, third reading copy, be amended as follows:

1. Pages 1, line 10 through page 2, line 7.

Strike: line 10 on page 1 through line 7 on page 2 in their entirety

And, as amended, be concurred in. Report adopted.

SJR 6, third reading copy, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):
HB 966, introduced bill, be amended as follows:

3/13/91

1. Page 2, line 9.

Strike: "14"

Insert: "15"

2. Page 2, line 17.

Following: "one" on line 17

Strike: "member of"

Insert: "primary or secondary consumer from"

3. Page 2, line 18.

Following: "by"

Strike: "and from the membership of"

4. Page 3, line 3.

Following: "designee;"

Strike: "and"

5. Page 3, line 4.

Following: "department of"

Strike: "family"

Insert: "social and rehabilitation"

6. Page 3, line 5.

Following: "designee"

Insert: "; and

(i) the governor's coordinator of aging or a designee"

7. Page 4, line 8.

Following: "system;"

Strike: "and"

8. Page 4, line 15.

Following: "homemakers"

Insert: "; and

(e) study other states' experiences with state mental health facilities"

And, as amended, do pass. Report adopted.

SB 156, third reading copy, be amended as follows:

1. Page 10, line 15.

Following: "4"

Strike: "3"

Insert: "4"

2. Page 13, line 2.

Following: "similar to"

Insert: "but not limited to"

And, as amended, be concurred in. Report adopted.

SB 157, third reading copy, be amended as follows:

1. Title, lines 11 and 12.

Following: "TRUSTEES;" on line 11

Strike: "EXEMPTING" on line 11 and line 12 in its entirety

2. Title, line 17.

Following: "AND"

Insert: "AND"

Following: "13-37-225,"

Strike: "AND 39-51-204,"

3. Page 22, line 1 through page 27, line 20.

Strike: section 25 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 421, third reading copy, be amended as follows:

1. Title, line 8.

Strike: "25"

Insert: "100"

2. Page 3, line 13.

Strike: "25%"

Insert: "100%"

And, as amended, be concurred in. Report adopted.

SB 422, third reading copy, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/13/91

HB 883, introduced bill, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

HB 861 - Representative Bachini moved the 3/12/91 adverse committee report on HB 861 be adopted.

Representative Swysgood made a substitute motion the adverse committee report be not adopted and HB 861 be printed and placed on second reading. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R.

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Johnson, Kadas, Kasten, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook.

Total 76

Noes: Bardanouve, Barnett, Benedict, Boharski, Connelly, Cromley, Dowell, Ellis, Gervais, H. S. Hanson, Keller, Kilpatrick, Knox, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Ream, Schye, Squires, Strizich, Wallin, Mr. Speaker.

Total 24

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/12/91

HB 189, introduced by Thoft
HB 217, introduced by Spring
HB 223, introduced by Lee
HB 275, introduced by Strizich
HB 276, introduced by Strizich
HB 310, introduced by Hoffman
HB 516, introduced by Lee
HB 555, introduced by Hoffman
HB 585, introduced by Nisbet

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/12/91

HB 120, introduced by Hayne
HB 160, introduced by Gilbert
HB 279, introduced by Schye
HB 537, introduced by Harper
HB 562, introduced by Cohen

The Senate, on 3/12/91, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 26.

President Mazurek appointed the following members:

Senator Doherty, Chairman
Senator Towe
Senator Grosfield

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 986, introduced by Gilbert, Schye, Kennedy, Harp, referred to Committee on Taxation

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Brooke in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 798 - Representative Quilici moved HB 798 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Benedict, Cobb, R. DeBruycker.

Total 3

Excused: None.

Total 0

Absent or not voting: Ellison, Spring.

Total 2

HB 814 - Representative O'Keefe moved HB 814, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 17.

Following: "SHALL"

Insert: "either cancel or write off from the accounts receivable carried on the books of the department a sum not to exceed any previous 1-year cost of operating and maintaining the canal project or"

2. Page 4, lines 23 through 25.

Strike: lines 23 through 25 in their entirety

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Thoft moved HB 814, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 83

Noes: Beck, Cobb, Driscoll, Ellison, Galvin, S. J. Hansen, Hoffman, Kilpatrick, McCaffree, McCulloch, Raney, Scott, Stang, Swysgood, Wyatt.

Total 15

Excused: None.

Total 0

Absent or not voting: Gilbert, S. Rice.

Total 2

HB 913 - Representative J. Johnson moved HB 913 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 63

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.

Total 35

Excused: None.

Total 0

Absent or not voting: Hoffman, J. Rice.

Total 2

SB 58 - Representative J. Rice moved consideration of SB 58 be passed for the day. Motion carried.

SB 80 - Representative Ellis moved SB 80 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cobb, Feland.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 122 - Representative Stang moved consideration of SB 122 be passed for the day. Motion carried.

SB 170 - Representative Cody moved SB 170 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb, Feland.
Total 2

Excused: None.
Total 0

Absent or not voting: Galvin, Harrington.
Total 2

SB 171 - Representative Schye moved SB 171 be concurred in.

Representative Daily made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Daily moved SB 171, third reading copy, be amended as follows (amendment #1):

1. Page 7, line 1.
Strike: "\$12"
Insert: "\$11"

2. Page 7, line 2.
Following: "1992"

Strike: remainder of line 2 through "1994"

3. Page 7, lines 5 and 9.

Strike: "\$15"

Insert: "\$12"

4. Page 7, lines 6 and 10.

Following: "1992"

Strike: remainder of line through "1994"

5. Page 12, lines 22 and 23.

Strike: "\$9" on line 22

Insert: "\$8"

Following: "1992" on line 22

Strike: remainder of line 22 through "1994" on line 23

6. Page 13, line 23.

Strike: "\$12"

Insert: "\$8"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, Clark, Cobb, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Feland, Forrester, Gervais, Gould, H. S. Hanson, M. Hanson, Harrington, Keller, Kilpatrick, Knox, Larson, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Russell, Scott, Simpkins, Stepler, Strizich, Swysgood, Thoft, Thomas, Tunby, Whalen, Zook.
Total 55

Noes: Bardanouve, Barnhart, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Dowell, Elliott, Fagg, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kimberley, Lee, Madison, Mercer, L. Nelson, O'Keefe, Ream, S. Rice, Schye, Southworth, Spring, Squires, Stang, Stickney, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Schye moved SB 171, as amended, be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Forrester, Gilbert, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson,

Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 72

Noes: Bachini, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Driscoll, Feland, Foster, Galvin, Gervais, Grinde, H. S. Hanson, Kasten, Lee, Peck, Peterson, Phillips, Simpkins, Stepler, Swysgood, Thoft, Thomas, Tunby, Whalen, Wyatt.
Total 27

Voted Absentee: Gilbert, Aye.

Excused: None.
Total 0

Absent or not voting: Gould.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Brooke moved the adoption of the committee report. Report adopted. (78-18)

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/13/91
Correctly enrolled: HB 54, HB 256, HB 288, HB 367, HB 480, HB 599.
Examined by the sponsor and found to be correct:
HB 54 - L. Nelson
HB 256 - Driscoll
HB 288 - Strizich
HB 480 - Lee
HB 367 - J. Brown
HB 599 - Mercer

HUMAN SERVICES AND AGING (Russell, Chairman): 3/13/91
HB 974, introduced bill, be amended as follows:

1. Page 2, line 21.
Strike: "15%"
Insert: "10%"

And, as amended, do pass. Report adopted.

SB 188, third reading copy, be amended as follows:

1. Title, line 7.
Following: "POLICIES;"
Insert: "ADDING SERVICES OF A LICENSED ACUPUNCTURIST TO THE LIST OF HEALTH SERVICES FOR WHICH A HEALTH SERVICE CORPORATION MAY BE ORGANIZED;"

Strike: "SECTION"
Insert: "SECTIONS"

2. Title, line 8.
Following: "33-22-111"
Insert: "AND 33-30-101"

3. Page 2.
Following: line 8
Insert: "Section 2. Section 33-30-101, MCA, is amended to read:

"33-30-101. Definitions. As used in this chapter, the following definitions apply:

(1) "Health service corporation" means a nonprofit corporation organized or operating for the purposes of establishing and operating a nonprofit plan or plans under which prepaid hospital care, medical-surgical care, and other health care and services, or reimbursement therefor, may be furnished to a member or beneficiary.

(2) "Health services" means the health care and services provided by hospitals or other health care institutions, organizations, associations, or groups and by doctors of medicine, osteopathy, dentistry, chiropractic, optometry, and podiatry; nursing services; licensed acupuncturist services; licensed social worker, licensed professional counselor, or psychologist; medical appliances, equipment, and supplies; drugs, medicines, ambulance services, and other therapeutic services and supplies.

(3) "Membership contract" means any agreement, contract, or certificate by which a health service corporation describes the health services or benefits provided to its members or beneficiaries.""

Renumber: subsequent section

4. Page 2, line 10.
Following: "renewed"
Insert: "and to health service corporations organized or operating in this state"

And, as amended, be concurred in. Report adopted.

SB 371, third reading copy, be concurred in. Report adopted.

SB 381, third reading copy, be amended as follows:

1. Title, lines 4 and 5.
Strike: "A BOARD OF ALLIED"
Insert: "AN ALTERNATIVE"

2. Title, line 5.
Following: "CARE"
Insert: "BOARD"

3. Page 1, line 9.
Strike: "Allied"
Insert: "Alternative"

4. Page 1, lines 10 and 11.

Strike: "a board of allied"

Insert: "an alternative"

5. Page 1, line 11.

Following: "care"

Insert: "board"

6. Page 1, line 20.

Following: "A"

Insert: "Montana"

7. Page 1, lines 20 and 21.

Strike: "PRESENTLY ENGAGED IN THE PRACTICE OF MEDICINE IN THIS
STATE"

Insert: "whose practice includes obstetrics"

8. Page 2, lines 12 and 13.

Strike: "board of allied"

Insert: "alternative"

9. Page 2, line 13.

Following: "care"

Insert: "board"

10. Page 3, lines 2 and 3.

Strike: "board of allied"

Insert: "alternative"

11. Page 3, line 3.

Following: "care"

Insert: "board"

12. Page 3, line 5.

Strike: "board of allied"

Insert: "alternative"

13. Page 3, line 6.

Following: "care"

Insert: "board"

14. Page 3, line 17.

Strike: "board of allied"

Insert: "alternative"

Following: "care"

Insert: "board"

15. Page 3, line 20.

Strike: "board of allied"

Insert: "alternative"

Following: "care"

Insert: "board"

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And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/13/91

HB 215, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "ACT" on line 5

Strike: "CHANGING THE NAME OF THE MONTANA RESOURCE
INDEMNITY TRUST ACT"

Insert: "INCREASING THE RATE OF THE METAL MINE LICENSE TAX"

2. Title, lines 8 and 9.

Following: "SECTIONS" on line 8

Strike: "15-38-101, 15-38-102, AND 15-38-106"

Insert: "7-6-2225, 7-6-2226, 15-37-103, 15-37-117, AND 20-9-231"

3. Page 1, line 12 through page 3, line 16.

Following: line 11

Strike: sections 1 through 4 in their entirety

Insert: "Section 1. Section 15-37-103, MCA, is amended to read:

"15-37-103. Rate of tax. (1) The annual license tax to be paid by a person engaged in or carrying on the business of working or operating any mine or mining property in this state from which gold, silver, copper, lead, or any other metal or metals or precious or semiprecious gems or stones are produced shall be an amount computed on the gross value of product which may have been derived by the person from mining business, work, or operation within this state during the calendar year immediately preceding.

(2) Concentrate shipped to a smelter, mill, or reduction work is taxed at the following rates:

Gross Value of Product	Rate of Tax (percentage of gross value)
first \$250,000	0%
more than \$250,000	1.81% <u>1.97%</u> of the increment

(3) Gold, silver, or any platinum-group metal that is done, bullion, or matte and that is shipped to a refinery is taxed at the following rates:

Gross Value of Product	Rate of Tax (percentage of gross value)
first \$250,000	0%
more than \$250,000	1.6% <u>1.74%</u> of the increment"

Section 2. Section 15-37-117, MCA, is amended to read:

"15-37-117. Disposition of metalliferous mines license taxes. (1) Metalliferous mines license taxes collected under the provisions of this part are allocated as follows:

(a) to the credit of the general fund of the state, ~~58%~~ 53.3% of total collections each year;

(b) to the state special revenue fund to the credit of a hard-rock mining impact trust account, ~~1.5%~~ 1.38% of total collections each year;

(c) to the state resource indemnity trust fund, ~~15.5%~~ 14.24% of total collections each year;

(d) to the state special revenue fund to the credit of the ground water assessment account, 8.1%;

(e) to the county in which the mine is located, 25% 22.98% of total collections each year, to be allocated by the county commissioners as follows:

(i) not less than 40% to the county hard-rock mine trust reserve account established in 7-6-2225; and

(ii) all money not allocated to the account pursuant to subsection ~~(1)(d)~~ (1)(e)(i) to be further allocated as follows, except that more than one entity may share an allocation if a jurisdictional revenue disparity is identified pursuant to subsection (2):

(A) 33 1/3% is allocated to the county for planning or economic development activities;

(B) 33 1/3% is allocated to the elementary school districts within the county that have been affected by the development or operation of the metal mine; and

(C) 33 1/3% is allocated to the high school districts within the county that have been affected by the development or operation of the metal mine.

(2) When an impact plan for a large-scale mineral development approved pursuant to 90-6-307 identifies a jurisdictional revenue disparity, the county shall distribute the proceeds allocated under subsection ~~(1)(d)~~ (1)(e) in a manner similar to that provided for property tax sharing under Title 90, chapter 6, part 4.

(3) The department shall return to the county in which metals are produced the tax collections allocated under subsection ~~(1)(d)~~ (1)(e). The allocation to the county described by subsection ~~(1)(d)~~ (1)(e) is a statutory appropriation pursuant to 17-7-502."

Section 3. Section 7-6-2225, MCA, is amended to read:

"7-6-2225. County hard-rock mine trust reserve account - expenditure restrictions. (1) The governing body of a county receiving an allocation under 15-37-117~~(1)(d)~~ (1)(e) shall establish a county hard-rock mine trust reserve account.

(2) Money received by a county pursuant to 15-37-117 or 90-6-331 must remain in the account and may not be appropriated by the governing body until:

(a) a mining operation has permanently ceased all mining related activity; or

(b) the number of persons employed full-time in mining activities by the mining operation is less than one-half of the average number of persons employed full-time in mining activities by the mining operation during the immediately preceding 5-year period.

(3) If the circumstances described in subsections (2)(a) or (2)(b) occur, the governing body of the county must allocate at least one-third of the funds proportionally to affected high school districts and elementary school districts in the county, and may use the remaining funds in the account to:

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(a) pay for outstanding capital project bonds or other expenses incurred prior to the end of mining activity or the reduction in the mining work force described in subsection (2)(b);

(b) decrease property tax mill levies that are directly caused by the cessation or reduction of mining activity;

(c) promote diversification and development of the economic base within the jurisdiction of a local government unit;

(d) attract new industry to the impact area;

(e) provide cash incentives for expanding the employment base of the area impacted by the changes in mining activity described in subsection (2); or

(f) provide grants or loans to other local government jurisdictions to assist with impacts caused by the changes in mining activity described in subsection (2).

(4) Except as provided in subsection (3)(b), money held in the account may not be considered as cash balance for the purpose of reducing mill levies.

(5) Money in the reserve account must be invested as provided by law. Interest and income from the investment of funds in the account must be credited to the account."

Section 4. Section 7-6-2226, MCA, is amended to read:

"7-6-2226. Metal mines tax reserve account. (1) The governing body of a county receiving tax collections under 15-37-117~~(1)(d)~~ (1)(e) may establish a metal mines tax reserve account to be used to hold the collections. The governing body may hold money in the account for any time period deemed appropriate by the governing body. Money held in the account may not be considered as cash balance for the purpose of reducing mill levies.

(2) Money may be expended from the account for any purpose provided by law.

(3) Money in the account must be invested as provided by law. Interest and income from the investment of the metal mines tax reserve account must be credited to the account."

Section 5. Section 20-9-231, MCA, is amended to read:

"20-9-231. Metal mines tax reserve account. (1) The governing body of a local school district receiving tax collections under 15-37-117~~(1)(d)~~ (1)(e) may establish a metal mines tax reserve account to be used to hold the collections. The governing body may hold money in the account for any time period deemed appropriate by the governing body. Money held in the account may not be considered as cash balance for the purpose of reducing mill levies.

(2) Money may be expended from the account for any purpose provided by law.

(3) Money in the account must be invested as provided by law. Interest and income from the investment of the metal mines tax reserve account must be credited to the account.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 216, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "[LC 787]"

Insert: "House Bill No. 215"

2. Page 1, line 15.

Strike: "[LC 785]"

Insert: "Senate Bill No. 94"

3. Page 1, line 17.

Following: line 16

Strike: "[LC 785] and [LC 787]"

Insert: "Senate Bill No. 94 and House Bill No. 215"

4. Page 1, line 18.

Following: "void."

Insert: "If Senate Bill No. 94 and House Bill No. 215 are passed and approved and if Senate Bill No. 94 contains a statutory appropriation, then [this act] is void."

And, as amended, do pass. Report adopted.

HB 906, introduced bill, be amended as follows:

1. Page 3, line 14.

Following: "cut."

Insert: "The assessment may not exceed \$20,000 a year."

2. Page 5, line 3.

Following: "cut."

Insert: "The assessment may not exceed \$20,000 a year for each master fire hazard attachment."

3. Page 6, line 11.

Following: "university."

Insert: "The forestry services must be conducted at Montana state university, the university of Montana, and Flathead Valley community college."

And, as amended, do pass. Report adopted.

SB 18, third reading copy, be amended as follows:

1. Page 5, line 18.

Following: "are"

Strike: "WERE"

Insert: "are"

Following: "is:"

Insert: "and who is:

(a) a corporation, association, partnership, or other business organization with assets in excess of \$250,000; or

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(b) if the business organization does not have assets in excess of \$250,000, a natural person with primary ownership in the business organization"

And, as amended, be concurred in. Report adopted.

SB 94, third reading copy, be amended as follows:

1. Title, line 8.

Following: "ACCOUNT;"

Insert: "ESTABLISHING A STATUTORY APPROPRIATION;"

2. Title, line 11.

Following: "PROGRAMS;"

Insert: "AMENDING SECTION 17-7-502, MCA;"

3. Page 4, lines 9 and 10.

Following: "year," on line 9

Strike: the remainder of line 9 through "assessment" on line 10

Insert: "there is statutorily appropriated, as provided in 17-7-502, 8.1% of the metal mine license"

4. Page 4, line 11.

Following: "by"

Strike: "[LC 787]"

Insert: "[House Bill No. 215]"

5. Page 9, line 9.

Following: line 8

Insert: "Section 8. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-

1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985; and [section 4].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

Renumber: subsequent sections

6. Page 9, line 18.

Strike: "[LC 787]"

Insert: "House Bill No. 215"

And, as amended, be concurred in. Report adopted.

SB 283, third reading copy, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 987, introduced by Cromley (by request of the Department of Health and Environmental Sciences), referred to Committee on Business and Economic Development

HB 988, introduced by Cromley (by request of the Department of Health and Environmental Sciences), referred to Committee on Business and Economic Development

HB 989, introduced by Cromley (by request of the Department of Health and Environmental Sciences), referred to Committee on Business and Economic Development

HB 990, introduced by S. Rice, Yellowtail, Franklin, Messmore, Thayer, Noble, Gervais, Galvin, Wyatt, Strizich, Nisbet, Dolezal, Phillips, Simpkins, Doherty, referred to Committee on Appropriations

MOTIONS

Representative Gould moved the rules be suspended to permit the late drafting and introduction of a House Joint Resolution. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

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Representative Driscoll moved the House adjourn until 1:00 p.m., Thursday, March 14, 1991. Motion carried.

House adjourned at 3:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 14, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative S. Rice. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-second and fifty-third legislative days, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

THE MONTANANS, from Montana State University, a select 16-voice ensemble directed by Lowell Hickman, performed for the House.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/14/91

Correctly printed: HB 215, HB 216, HB 251, HB 861, HB 883, HB 901, HB 906, HB 950, HB 953, HB 966, HB 974.

Correctly engrossed: HB 798, HB 814, HB 913, SB 80, SB 146, SB 170, SB 171.

Correctly enrolled: HB 24, HB 450.

Signed by the Speaker at 4:00 p.m., 3/13/91: HB 58.

Signed by the Speaker at 8:00 a.m., 3/14/91: HB 54, HB 256, HB 288, HB 367, HB 480, HB 599, SB 92, SB 100, SB 110, SB 144, SB 147, SJR 10.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman):

3/14/91

SB 120, third reading copy, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

3/14/91

HB 568, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "REGULAR DRIVER'S LICENSES AND"

2. Page 3, line 23.

Strike: "\$4"

Insert: "\$3"

And, as amended, do pass. Report adopted.

SB 109, third reading copy, be amended as follows:

1. Page 1, line 20.

Strike: "THE SAME"

Insert: "a"

2. Page 1, line 21.

Strike: "AS"

Insert: "comparable to"

And, as amended, be concurred in. Report adopted.

SB 132, third reading copy, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):

3/14/91

HB 934, introduced bill, do pass. Report adopted.

SB 7, third reading copy, be amended as follows:

3/13/91

1. Page 6, line 8.

Strike: "Assets"

Insert: "Property"

Strike: "do"

Insert: "does"

2. Page 6, lines 13 through 15.

Strike: subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

SB 304, third reading copy, be concurred in. Report adopted.

SB 432, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

3/14/91

LOCAL GOVERNMENT (Wyatt, Chairman):

3/14/91

SB 261, third reading copy, be concurred in. Report adopted.

SB 276, third reading copy, be amended as follows:

1. Page 1, line 15.

Strike: "STATE AND LOCAL"

And, as amended, be concurred in. Report adopted.

SB 305, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 334, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 357, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 367, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 437, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/14/91

SB 231, third reading copy, be concurred in. Report adopted.

SB 350, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/13/91

HB 109, introduced by Brooke
HB 149, introduced by Forrester
HB 166, introduced by Keller
HB 167, introduced by McCulloch
HB 168, introduced by McCulloch
HB 182, introduced by Larson
HB 274, introduced by Strizich
HB 622, introduced by Swysgood
HB 648, introduced by Wanzenried
HB 725, introduced by Spring
HJR 22, introduced by D. Brown

House bills concurred in as amended and returned to the House for
concurrence in Senate amendments: 3/13/91

HB 99, introduced by Stang
HB 424, introduced by Stickney
HJR 41, introduced by L. Nelson

Senate bill passed and transmitted to the House for concurrence:
3/13/91

SB 226, introduced by Harp

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper March 14, 1991
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 23, 115, 154 and 326 on
March 14, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bill was introduced, read first time, and referred to
committee:

SB 226, introduced by Harp (by request of the Department of Revenue),
referred to Committee on Taxation

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 164 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kilpatrick, Nisbet.

Total 2

HB 423 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bachini, Bergsagel, Peck.

Total 3

Excused: None.

Total 0

March 14, 1991

Absent or not voting: Ellison, Gervais, S. J. Hansen, Kilpatrick, Whalen.
Total 5

HB 558 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: R. DeBruycker, Grinde, Kasten, Phillips, Simpkins.
Total 5

Excused: None.
Total 0

Absent or not voting: Whalen.
Total 1

HB 813 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Clark, Ellis, Feland, Hayne, Hoffman, Kasten, T. Nelson, Peterson, Spring, Stepler.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 897 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 24 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, R. DeBruycker, Feland, Grinde, Phillips, Simpkins.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

March 14, 1991

SB 88 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, D. Brown, Kasten, Peck, Peterson.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 97 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Clark, Ellison, Feland, Grinde, Measure, Nisbet, Peck, Southworth, Swysgood, Thoft.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 141 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 200 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: R. DeBruycker.

Total 1

Excused: None.

Total 0

Absent or not voting: Stang.

Total 1

March 14, 1991

SB 204 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Barnett, Benedict, Bergsagel, Davis, R. DeBruycker, Ellis, Feland, Foster, Gould, Grinde, Hayne, Knox, McCulloch, T. Nelson, Peck, Peterson, Phillips, Simpkins, Stepler, Swysgood, Thoft.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 206 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: S. J. Hansen, Strizich.

Total 2

SB 249 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 364 concurred in as follows:

Ayes: Bachini, Barnett, Barnhart, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.

Total 82

Noes: Bardanouve, Beck, Bergsagel, Boharski, Cohen, Cromley, J. DeBruycker, Elliott, Forrester, Gilbert, M. Hanson, Measure, Thoft, Whalen, Mr. Speaker.

Total 15

Excused: None.

Total 0

Absent or not voting: Benedict, Cobb, Schye.

Total 3

March 14, 1991

SB 372 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cohen, Kasten.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 444 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 94

Noes: Barnhart, Boharski, Cohen, McCaffree, Wyatt.

Total 5

Excused: None.

Total 0

Absent or not voting: Ream.

Total 1

SJR 12 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel, Dowell, Nisbet, Peck.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 13 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Bergsagel.

Total 1

Excused: None.

Total 0

Absent or not voting: Barnett.

Total 1

SJR 14 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Forrester, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 74

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Ellis, Fagg, Feland, Foster, Gilbert, Grady, Grinde, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Mercer, T. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Zook.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 123, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: McCaffree.

Total 1

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

SB 3, Governor's amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzonried, Whalen, Wyatt, Mr. Speaker.
Total 92

Noes: Bergsagel, Clark, Galvin, O'Keefe, Peck, Phillips, Zook.
Total 7

Excused: None.
Total 0

Absent or not voting: Elliott.
Total 1

SB 131 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzonried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Forrester, Peck.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 651 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cromley, Peterson, Spring.
Total 3

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 742 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, T. Nelson, Swysgood.
Total 3

Excused: None.
Total 0

Absent or not voting: Ellison.
Total 1

HB 833 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Fagg, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kimberley, Knox, Larson, Lee, Madison, McCaffree, Measure, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 70

Noes: Beck, Bergsagel, D. Brown, Cody, Daily, J. DeBruycker, R. DeBruycker, Driscoll, Ellison, Feland, Forrester, Gilbert, Grinde, S. J. Hansen, Kasten, Kilpatrick, McCarthy, McCulloch, Messmore, L. Nelson, Phillips, Quilici, Schye, Scott, Stang, Steppler, Swysgood, Thoft, Wyatt.
Total 29

Excused: None.

Total 0

Absent or not voting: Zook.

Total 1

SB 80 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 170 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Cobb.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 171 concurred in as follows:

Ayes: Bardanoue, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Fagg, Forrester, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wanzenried, Mr. Speaker.
Total 62

Noes: Bachini, Beck, Bergsagel, Boharski, D. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Ellison, Feland, Foster, Galvin, Gervais, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Lee, Pavlovich, Peck, Peterson, Phillips, Quilici, Scott, Simpkins, Spring, Stepler, Swysgood, Thoft, Thomas, Tunby, Whalen, Wyatt, Zook.
Total 38

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 102 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: McCarthy.

Total 1

SB 160 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 224 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 91

Noes: Bergsagel, Boharski, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, Swysgood, Zook.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 290 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 84

Noes: Beck, Bergsagel, Boharski, Cody, R. DeBruycker, Driscoll, Feland, Forrester, Gilbert, McCaffree, O'Keefe, Peck, Peterson, Southworth, Swysgood, Wyatt.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 399 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Ellison, Feland, Gilbert, Gould, Grinde, Phillips, Swysgood.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lee in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 58 - Representative J. Rice moved SB 58 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bachini, McCaffree, Peck, Phillips, Swysgood.
Total 5

Voted Absentee: Darko, Aye.

Excused: None.
Total 0

Absent or not voting: Grady, Whalen.
Total 2

SB 122 - Representative Stang moved SB 122 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bachini, Benedict, Cobb, Kasten, Peck.
Total 5

Voted Absentee: Darko, Aye.

Excused: None.
Total 0

Absent or not voting: Ellison.
Total 1

SB 173 - Representative Bergsagel moved SB 173 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Boharski, Forrester, Grinde, Swysgood.

Total 4

Voted Absentee: Darko, Aye.

Excused: None.

Total 0

Absent or not voting: D. Brown, Elliott, Ellis, S. J. Hansen, Phillips.

Total 5

SB 190 - Representative D. Brown moved SB 190, third reading copy, be amended as follows:

1. Page 1, line 17.

Following: "with"

Strike: "prejudgment interest,"

Following: "costs,"

2. Page 1, line 18.

Strike: line 18 in its entirety

Representative McCaffree moved the amendment be divided. Motion carried.

Amendment #1(#1) passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 95

Noes: Cohen, Darko, Measure, Russell, Mr. Speaker.

Total 5

Voted Absentee: Darko, No.

Excused: None.

Total 0

Absent or not voting: None.
Total 0

Amendment #2(#2) failed as follows: (41-58)

Representative Ellis moved SB 190, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows: (41-56)

Representative D. Brown moved SB 190, second reading copy, be further amended (amendment #4). Amendment #4 failed as follows: (47-52)

Representative McCaffree moved SB 190, as amended, be concurred in.

Representative D. Brown made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative D. Brown moved SB 190, second reading copy, be further amended as follows (amendment #5):

1. Page 1, line 11.
Strike: "triple"
Insert: "double"

2. Page 1, line 16.
Strike: "three"
Insert: "two"

Amendment #5 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cocchiarella, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Simpkins, Spring, Stang, Stickney, Strizich, Swysgood, Thoft, Tunby, Wallin, Wyatt, Zook.
Total 71

Noes: Bardanouve, Brooke, Clark, Cobb, Cody, Cohen, Connelly, Darko, Elliott, Galvin, S. J. Hansen, Kadas, Madison, McCarthy, Measure, Nisbet, Peck, J. Rice, Schye, Scott, Southworth, Squires, Steppler, Thomas, Toole, Wanzenried, Whalen, Mr. Speaker.
Total 28

Voted Absentee: Darko, No.

Excused: None.
Total 0

Absent or not voting: Pavlovich.

Total 1

Thereupon, SB 190, as amended, was concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, Daily, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 41

Voted Absentee: Darko, Aye.

Excused: None.

Total 0

Absent or not voting: Bachini.

Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Lee moved the adoption of the committee report. Report adopted. (69-29)

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

3/14/91

SB 232, third reading copy, be amended as follows:

1. Title, lines 13 and 14.

Strike: "TO REQUIRE THE ISSUANCE OF A SALVAGE CERTIFICATE FOR ALL JUNK VEHICLES;"

2. Title, lines 16 and 17.

Following: second "TO"

Strike: remainder of line 16 and line 17 in its entirety

Insert: "SUE TO COLLECT CIVIL PENALTIES FOR CERTAIN"

3. Title, line 18.

Strike: "OF TITLE 75, CHAPTER 10, PART 5, MCA"

4. Title, line 19.

Strike: "AND"

Insert: ", "

5. Title, line 20.

Following: "75-10-512,"

Insert: "AND 75-10-541,"

6. Page 12, lines 21 through 24.

Following: "\$500." on line 21

Strike: remainder of line 21 through "certificate." on line 24

7. Page 15, line 8.

Following: "owner"

Insert: "or person selling the vehicle, release of ownership or interest in the motor vehicle"

8. Page 15, lines 20 and 21.

Strike: lines 20 and 21 in their entirety

Insert: "Section 6. Section 75-10-541, MCA, is amended to read:

"75-10-541. Injunction -- action to collect civil penalty -- authority of department of justice. (1) The department, through the attorney general or the county attorney of the county in which a facility is located, may sue to enjoin the operation or maintenance of a motor vehicle wrecking facility or graveyard either permanently or until compliance with this part, the rules of the department, or an order issued pursuant to this part has been demonstrated.

(2) The department, through the attorney general or the county attorney of the county in which a motor vehicle wrecking facility or graveyard is located, may sue in district court to collect a civil penalty as provided in 75-10-542.

(3) The department of justice, through the attorney general or the county attorney of the county in which a facility is located, may sue in district court to collect a civil penalty as provided in 75-10-542 for violations of 75-10-512 or 75-10-513(2)."

And, as amended, be concurred in. Report adopted.

SB 272, third reading copy, be amended as follows:

1. Title, line 4.

Following: second "ACT"

Strike: "DEFINING"

Insert: "CLARIFYING THE MEANING OF THE TERMS"

2. Title, line 6.

Following: "ACT"

Insert: "; PROVIDING THAT DIRECT ASSISTANCE TO SECONDARY VALUE-ADDED INDUSTRIES BE THROUGH AN INDUSTRIAL INFRASTRUCTURE DEVELOPMENT PROJECT; AND AMENDING SECTION 7-15-4288, MCA"

3. Page 1, line 9 through page 2, line 5.

Strike: sections 1 and 2 in their entirety

Insert: "Section 1. Section 7-15-4288, MCA, is amended to read:

"7-15-4288. Costs which may be paid by tax increment financing. The tax increments may be used by the municipality to pay the following costs of or incurred in connection with an urban renewal project or industrial infrastructure development project:

- (1) land acquisition;
- (2) demolition and removal of structures;
- (3) relocation of occupants;
- (4) the acquisition, construction, and improvement of infrastructure or industrial infrastructure, which includes streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and offstreet parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunication lines, rail lines, rail spurs, bridges, public buildings, and other public improvements authorized by parts 41 through 45 of chapter 12, parts 42 and 43 of chapter 13, and part 47 of chapter 14 and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;
- (5) costs incurred in connection with the redevelopment activities allowed under 7-15-4233;
- (6) acquisition of infrastructure-deficient areas or portions thereof;
- (7) administrative costs associated with the management of the industrial district;
- (8) assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself at its fair value;
- (9) the compilation and analysis of pertinent information required to adequately determine the infrastructure needs of secondary, value-adding industries in the industrial district;
- (10) the connection of the industrial district to existing infrastructure outside the industrial district; and
- (11) the provision of direct assistance, through industrial infrastructure development projects, to secondary, value-adding industries to assist in meeting their infrastructure and land needs within the industrial district."

And, as amended, be concurred in. Report adopted.

SB 335, third reading copy, be concurred in. Report adopted.

SB 360, third reading copy, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/14/91

HB 877, introduced bill, do pass. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 991, introduced by Dolezal, Whalen, Cohen, Raney, O'Keefe, referred to Committee on Natural Resources

HB 992, introduced by Raney, referred to Committee on Taxation

HB 993, introduced by Zook, Pinsoneault, Cody, Cobb, Thomas, Kadas, J. Rice, Benedict, Hoffman, Mercer, Cocchiarella, referred to Committee on Taxation

MOTIONS

Representative Driscoll moved HB 906, HB 939, HB 953 and SJR 6 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 215, HB 216 and SB 94 be taken from second reading and rereferred to the Committee on Taxation. Motion carried.

Representative Driscoll moved HB 934 be taken from printing and rereferred to the Committee on Appropriations. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to a select committee to meet and consider HB 293, HB 294 and HB 357:

Representative Wanzienried, Chairman

Representative J. Brown

Representative Clark

Representative Hoffman

Representative Kadas

Representative Messmore

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Friday, March 15, 1991. Motion carried.

House adjourned at 2:55 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 15, 1991

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Pastor Marc Cramer. Pledge of Allegiance to the Flag.

Roll call. All members present except Toole, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-third legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Mr. Speaker introduced U.S.A. TODAY's All-USA Academic Team students selected from Montana: Jennifer DeVoe, Helena; Jeff Kommers, Bozeman; and Jan Wright, Helena. All three students attend Montana State University.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/15/91

Correctly printed: HB 568, HB 877.

Correctly engrossed: SB 58, SB 122, SB 173, SB 190.

Correctly enrolled: HB 82, HB 101, HB 102, HB 114, HB 156, HB 177, HB 189, HB 221, HB 225, HB 231, HB 310, HB 345, HB 432, HB 516, HB 585, HB 695, HJR 15.

Examined by the sponsor and found to be correct:

HB 82 - Stang

HB 101 - Russell

HB 102 - Russell

HB 189 - Thoft

HB 225 - Phillips

HB 231 - Cobb

HB 310 - Hoffman

HB 345 - Quilici

HB 432 - Cody

HB 450 - Harper

HB 516 - Lee

HB 585 - Nisbet

HB 695 - Davis

HJR 15 - Wallin

Signed by the Speaker at 2:00 p.m., 3/14/91: HB 450.

Signed by the Speaker at 8:00 a.m., 3/15/91: SB 15, SB 25, SB 119, SB 166, SB 201, SB 202, SB 244.

Delivered to the Governor for his approval at 2:54 p.m., 3/14/91: HB 54, HB 58, HB 256, HB 288, HB 367, HB 480, HB 599.

Delivered to the Governor for his approval at 9:50 a.m., 3/15/91: HB 450.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):

3/14/91

HB 841, introduced bill, be amended as follows:

1. Title, lines 4 through 6.

Strike: "EXEMPTING" on line 4 through "PLAN;" on line 6

2. Title, line 7.

Following: "TO THE"

Insert: "MONTANA ALFALFA SEED"

3. Title, line 8.

Strike: "2-18-103,"

Following: "17-7-502"

Strike: ", "

4. Page 1, line 12 through page 2, line 20

Strike: section 1 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):

3/14/91

SB 239, third reading copy, be amended as follows:

1. Page 6, line 1.

Strike: "pallid and"

2. Page 7, line 9.

Strike: "pallid and"

And, as amended, be concurred in. Report adopted.

SB 240, third reading copy, be concurred in. Report adopted.**SB 252**, third reading copy, be concurred in. Report adopted.**SB 291**, third reading copy, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Russell, Chairman):

3/15/91

SB 254, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.**SB 260**, third reading copy, be concurred in. Report adopted.**SB 306**, third reading copy, be concurred in. Report adopted.**SB 307**, third reading copy, be amended as follows:

1. Title, lines 7 and 8.

Strike: "TO ADD A FIFTH" on line 7 through "DENTISTRY" on line 8

Insert: "EXPANDING THE MEMBERSHIP OF THE BOARD OF DENTISTRY
TO INCLUDE A FIFTH DENTIST; REQUIRING THAT EACH
DENTIST APPOINTED TO THE BOARD SERVE THE FIRST YEAR
OF ANY 5-YEAR STATUTORY TERM AS A NONVOTING MEMBER;"

2. Page 2, line 9.

Following: "."

Insert: "Each dentist appointed to the board for a statutory 5-year term shall serve the first year of the term as a nonvoting member of the board."

3. Page 2, line 15.
Strike: "January 1"
Insert: "March 29"

And, as amended, be concurred in. Report adopted.

SB 310, third reading copy, be concurred in. Report adopted.
SB 348, third reading copy, be amended as follows:

1. Page 5, line 24.
Strike: "A person gathering evidence"
Insert: "Evidence gathered by a physician"
Following: "must"
Insert: "be"

2. Page 5, line 25.
Strike: "submit it"
Insert: "submitted"

And, as amended, be concurred in. Report adopted.

SB 408, third reading copy, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):

3/14/91

HB 752, introduced bill, be amended as follows:

1. Page 1, line 12.
Page 3, line 24.
Page 5, lines 15 and 24.
Page 6, lines 2 and 6.
Page 7, lines 2 and 5.
Strike: "8"
Insert: "7"

2. Page 1, line 22.
Strike: ", to her knowledge,"

3. Page 2, line 9.
Strike: "an automobile"
Insert: "a motor vehicle with a rated carrying load in persons and property of 1 ton or less"

4. Page 2, lines 11 and 14.
Strike: "automobiles"
Insert: "motor vehicles with a rated carrying load in persons and property of 1 ton or less"

5. Page 3, lines 8 and 9.
Strike: "and by paying the fee required by [section 8]"

6. Page 4, line 7.

Strike: "Final"

Insert: "Hearing and final"

7. Page 4, line 8.

Strike: "90"

Insert: "30"

8. Page 4, line 10.

Following: "shall"

Insert: "hold a hearing at which both parties must be present, and if the court determines that the conditions in [section 1] exist, the court shall"

9. Page 6, lines 22 through 25.

Strike: section 8 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 257, third reading copy, be concurred in and be placed on the consent calendar. Report adopted. 3/15/91

SB 315, third reading copy, be concurred in. Report adopted.

SB 327, third reading copy, be amended as follows: 3/14/91

1. Title, lines 9 and 10.

Strike: "ALLOWING" on line 9 through "EVIDENCE;" on line 10

2. Page 5, lines 7 through 11.

Strike: "A person" on line 7 through "both." on line 11

3. Page 5, line 16 through page 6, line 17.

Strike: sections 3 and 4 in their entirety

Insert: "NEW SECTION. Section 3. Coordination instruction. If House Bill No. 501 is passed and approved and if it contains an amendment to 27-1-718, then [section 1 of this act] is void."

And, as amended, be concurred in. Report adopted.

SB 441, third reading copy, be amended as follows:

1. Title, line 6.

Strike: "LIMITING MEMBERS TO TWO TERMS;"

2. Page 2, lines 6 and 7.

Strike: "who" on line 6 through "state and" on line 7

Insert: "one from that part of the state that is composed of judicial districts 1 through 5, 9, 11, and 18 through 20 and one from that part of the state that is composed of judicial districts 6 through 8, 10, and 12 through 17"

3. Page 2, line 18.

Strike: "(1)"

4. Page 3, line 1.
Strike: "(2)"

5. Page 3, lines 1 and 2.
Strike: "A" on line 1 through end of line 2

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 3/15/91
HB 718, introduced bill, be amended as follows:

1. Title, line 7.
Following: "ACTIVITY;"
Insert: "REQUIRING THE DEPARTMENT TO PROVIDE NOTICE OF THE
FEE ASSESSMENT; PROVIDING AN APPEAL PROCEDURE FOR
RESOLUTION OF FEE DISPUTES;"

2. Title, line 9.
Following: "AN"
Strike: "IMMEDIATE"

3. Statement of Intent, page 1, line 21.
Following: "MCA."
Insert: "The department may also collect fees for increased effort in
reviewing permit, certificate, and license applications and in
conducting monitoring for projects and activities that are excluded
by rule from the permit or certification requirements of Title 75,
chapter 5, part 4, but that require the department's services."

4. Statement of Intent, page 1.
Following: line 24
Insert: "The rules adopted by the board should provide a mechanism for
coordinating collection of fees for the review and monitoring of
projects and activities as authorized by [section 1] with any other
fees that are collected by other state agencies for the review and
monitoring of those projects and activities. The fees collected by
the department of health and environmental sciences may not
duplicate the fees collected by another state agency for services in
reviewing permit, certificate, and license applications and in
conducting monitoring."

5. Page 2, line 3.
Following: "recovery"
Insert: "-- notice -- appeal"

6. Page 2, lines 6 and 7.
Strike: subsection (a) in its entirety
Renumber: subsequent subsections

7. Page 2, line 8.
Following: "processing"
Insert: "an application for a permit or certificate"

8. Page 2, line 9.

Following: "permit"

Insert: "or certificate"

9. Page 2, line 10.

Following: "in"

Insert: "reviewing an application for a state permit, certificate, or license or in"

10. Page 2, line 11.

Following: "permit"

Insert: ", certificate,"

11. Page 2, lines 11 through 13.

Following: "license" on line 11

Strike: remainder of line 11 through "review" on line 13

Insert: "that is excluded by rule from the permit requirements of Title 75, chapter 5, part 4"

12. Page 2.

Following: line 22

Insert: "(4) The department shall give written notice to a holder of or an applicant for a state permit, certificate, or license of the amount of the fee to be assessed and the basis for the department's fee assessment under this section.

(5) A holder of or an applicant for a permit, certificate, or license may appeal the department's fee assessment to the board within 20 days after receiving written notice of the department's fee determination under subsection (4). The appeal to the board must include a written statement detailing the reasons that the permitholder or applicant considers the department's fee assessment to be erroneous or excessive.

(6) If part of the department's fee assessment is not in dispute in an appeal filed pursuant to subsection (5), the undisputed portion of the fee must be paid to the department upon written request of the department.

(7) The contested case provisions of the Montana Administrative Procedure Act, Title 2, chapter 4, apply to a hearing before the board pursuant to this section."

13. Page 3, line 11.

Following: line 12

Insert: "NEW SECTION. Section 4. Applicability. The board of health and environmental sciences may commence proceedings to adopt rules to be effective on the effective date of [this act]."

Renumber: subsequent section

14. Page 3, line 12.

Following: "on"

Strike: "passage and approval"

Insert: "the earlier of October 1, 1991, or the date of adoption of rules by the board of health and environmental sciences"

And, as amended, do pass. Report adopted.

SB 136, third reading copy, be amended as follows:

1. Statement of Intent, page 3, line 7.

Following: line 6

Insert: "Except as expressly provided in this bill, nothing in this bill may be considered to limit or restrict the authority of local governments to adopt rules and regulations authorized by other laws of the state."

And, as amended, be concurred in. Report adopted.

SB 265, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/14/91

HB 105, introduced by L. Nelson
HB 158, introduced by Wanzenried
HB 197, introduced by Boharski
HB 211, introduced by Bradley
HB 248, introduced by R. Johnson
HB 262, introduced by Harrington
HB 266, introduced by M. Hanson
HB 313, introduced by McCaffree
HB 392, introduced by Hoffman
HB 410, introduced by Cobb
HB 425, introduced by Stickney
HB 445, introduced by J. Rice
HB 481, introduced by Wallin
HB 521, introduced by Dolezal
HB 682, introduced by J. DeBruycker
HB 756, introduced by McCaffree
HB 769, introduced by Cocchiarella
HB 779, introduced by Cromley
HB 854, introduced by Foster
HB 941, introduced by Benedict
HJR 7, introduced by Larson
HJR 12, introduced by Grady

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/14/91

HB 151, introduced by Stang
HB 258, introduced by Bachini
HB 304, introduced by Clark
HB 403, introduced by Spring
HB 413, introduced by Connelly
HB 479, introduced by Hayne
HJR 11, introduced by Knox

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 994, introduced by Hansen, Brooke, Dolezal, G. Beck, J. Brown, Squires, J. DeBruycker, Strizich, Keating (by request of the Department of Health and Environmental Sciences), referred to Committee on Human Services and Aging

MOTIONS

Representative Driscoll moved SB 259 and SB 421 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 953 be taken from the Committee on Appropriations and be printed and placed on second reading. Motion carried.

Representative Driscoll moved HB 702 be taken from the Committee on Taxation and rereferred to the Committee on Appropriations. Motion carried.

Representative Wallin moved consideration of SB 323 be passed until the 58th legislative day. Motion carried.

Representative Driscoll moved the House recess until 2:00 p.m. Motion carried.

The House recessed at 1:15 p.m.

The House reconvened at 2:05 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

3/15/91

SB 112, third reading copy, be concurred in. Report adopted.

SB 424, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HB 995, introduced by Harper, Mazurek, Driscoll, Thomas, referred to Committee on Labor and Employment Relations

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative S. Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 214 - Representative Gould moved SB 214 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Toole, Aye.

Excused: None.
Total 0

Absent or not voting: Cobb, Daily, Lee.
Total 3

SB 228 - Representative Gould moved SB 228, third reading copy, be amended (amendment #1). Amendment #1 failed as follows: (47-50)

Representative R. DeBruycker moved SB 228, third reading copy, be amended (amendment #2). Amendment #2 failed as follows: (23-76)

Representative R. DeBruycker moved SB 228, third reading copy, be amended (amendment #3). Amendment #3 failed as follows: (24-74)

Representative Gould moved SB 228 be concurred in.

Representative R. DeBruycker made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative R. DeBruycker moved SB 228, third reading copy, be amended (amendment #4). Amendment #4 failed as follows: (17-78)

Thereupon, SB 228 was concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Bachini, Barnett, Bergsagel, Clark, Cobb, Cody, Connelly, Darko, R. DeBruycker, Driscoll, Elliott, Ellison, Foster, Grinde, M. Hanson, Kadas, Kasten, Knox, Lee, McCulloch, L. Nelson, Peck, Peterson, Phillips, Raney, Simpkins, Stang, Thoft.

Total 28

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman S. Rice moved the adoption of the committee report. Report adopted. (87-11)

REPORTS OF STANDING COMMITTEES

JUDICIARY (Strizich, Chairman):

3/15/91

SB 250, third reading copy, be amended as follows:

1. Page 12.

Following: line 20

Insert: "(2) A person admitted to a residential facility for evaluation and treatment or for an extended course of habilitation may knowingly and intentionally waive his rights only with the concurrence of the person's counsel, if any, or, if he has no counsel, his parents, guardian, or other responsible person appointed by the court."

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 387, third reading copy, be amended as follows:

1. Title, line 7.

Following: "~~DEPOSIT~~;"

Insert: "TO REQUIRE A LANDLORD TO REVIEW WITH THE TENANT, 48 HOURS PRIOR TO TERMINATION OF THE TENANCY, A WRITTEN NOTICE OF CHARGES THE LANDLORD INTENDS TO DEDUCT FROM THE SECURITY DEPOSIT;"

2. Page 2, line 10.

Following: "subsection;"

Insert: "No later than 48 hours prior to the termination of the tenancy, the landlord shall give the tenant written notice of the total sum the landlord intends to deduct from the security deposit, with an explanation of the reasons for the intended deduction. The landlord shall deliver the notice to the tenant personally on the premises of the rental unit and provide any further explanation that the tenant requests. The notice must include the specific types of cleaning that must be done and the repairs that must be made by the tenant to bring the premises back to its condition at the time of renting. After delivery of the notice, the tenant has 48 hours to complete or arrange for the desired cleaning or repairs. A deduction may not be made from the security deposit if the landlord fails to comply with this subsection."

3. Page 2, line 23 through page 3, line 5.

Strike: "ADDITIONALLY" on page 2, line 23 through page 3, line 5

4. Page 3, line 21.

Following: "25"

Insert: ", "

5. Page 3, line 22.

Following: "entered"

Insert: "into, and if the landlord fails to comply with this requirement, he may not make a deduction from the security deposit"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

March 15, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 39, 434, 439, 453 and 456 on March 15, 1991.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HJR 42, introduced by O'Keefe, T. Beck, Harper, Swysgood, Raney, Ellison, Svrcek, Thoft, Blaylock, Darko, referred to Committee on Natural Resources
HJR 43, introduced by Connelly, Thoft, Bradley, Menahan, Lee, Raney, Boharski, Daily, Hockett, Darko, Grady, O'Keefe, Kadas, Becker, Peterson, Hansen, Kilpatrick, Kimberley, Scott, Brooke, Cocchiarella, Quilici, Schye, Whalen, Cohen, Cromley, Measure, Wanzenried, Southworth, Russell, Galvin, Gervais, Dowell, B. Brown, Fritz, Harp, Farrell, Harding, Kennedy, Van Valkenburg, Vaughn, Halligan, Mercer, referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 798 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Benedict, R. DeBruycker.
Total 2

Voted Absentee: Toole, Aye.

Excused: None.
Total 0

Absent or not voting: Lee.
Total 1

HB 814 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cobb, Ellison, Gilbert, Grinde, Hoffman, McCaffree, Scott, Swysgood.

Total 8

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: S. J. Hansen, Lee.

Total 2

HB 913 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 63

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Simpkins, Spring, Swysgood, Thoft, Tunby, Zook.

Total 35

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: Harrington, Lee.

Total 2

SB 58 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Clark, Ellison, Feland, Grinde, Phillips, Swysgood.

Total 7

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: S. J. Hansen.

Total 1

SB 122 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb, Kadas, Kasten, Peck.

Total 4

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 173 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Grinde, Hayne, Phillips, Swysgood.

Total 4

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 190 concurred in as follows:

Ayes: Bardanoue, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 61

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.

Total 38

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: Ellis.

Total 1

SB 146 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Toole, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Saturday, March 16, 1991. Motion carried.

House adjourned at 3:10 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 16, 1991

House Chambers
State Capitol

House convened at 8:10 a.m. Mr. Speaker Pro Tempore in the Chair.
Invocation by Representative Wanzenried. Pledge of Allegiance to the Flag.

Roll call. All members present except Boharski, Hoffman, Knox, Whalen,
excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and
Journal, having examined the daily journal for the fifty-fourth legislative
day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/16/91

Correctly printed: HB 718, HB 752, HB 841, HB 934.

Correctly engrossed: SB 214, SB 228, SB 305, SB 334, SB 350, SB 357, SB
367, SB 432, SB 437.

Correctly enrolled: HB 3, HB 38, HB 55, HB 69, HB 135, HB 148, HB 217,
HB 223, HB 276.

Examined by the sponsor and found to be correct:

HB 3 - Bardanouve

HB 38 - Grady

HB 55 - Madison

HB 69 - Whalen

HB 114 - D. Brown

HB 135 - Lee

HB 223 - Lee

HB 276 - Strizich

Signed by the Speaker at 9:00 a.m., 3/16/91: HB 82, HB 101, HB 102, HB
114, HB 189, HB 225, HB 231, HB 310, HB 345, HB 432, HB 585,
HB 695, HJR 15, SB 10, SB 14, SB 22, SB 89, SB 91, SB 95, SB
98, SB 134, SB 135, SB 139, SB 148, SB 162, SB 167, SB 181, SB
230.

Signed by the Speaker at 10:00 a.m., 3/16/91: HB 3, HB 38, HB 55, HB
69, HB 135, HB 223, HB 276.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

3/15/91

HB 664, introduced bill, be amended as follows:

1. Title, line 8.

Following: "STATE;"

Insert: "TO APPROPRIATE MONEY TO THE MONTANA SCIENCE AND
TECHNOLOGY DEVELOPMENT BOARD TO MAKE RESEARCH
AND DEVELOPMENT PROJECT LOANS TO CERTAIN AGENCIES;"

2. Page 2, line 9.

Strike: "1990"

Insert: "1991"

3. Page 4, line 1.

Following: "Appropriation."

Insert: "(1)"

4. Page 4, lines 2 and 3.

Strike: "\$1 million"

Insert: "\$500,000"

5. Page 4, line 12.

Following: line 11

Insert: "(2) There is appropriated from the coal severance tax income fund \$1 million to the science and technology development account established in 90-3-305 for the use of the Montana board of science and technology development during the biennium ending June 30, 1993, to make research and development project loans as provided in Title 90, chapter 3, if the board makes the determinations, findings, and decisions required under that chapter. The board shall allocate the appropriation as follows:

(a) \$600,000 to the center for interfacial microbial process analysis at Montana state university, to meet matching requirements for the \$7.5 million national science foundation award; and

(b) \$400,000 to the Montana entrepreneurship center, a cooperative activity of the university of Montana, Montana state university, and eastern Montana college, that uses the strengths of all units of the Montana university system to address business development and economic diversification by creating the infrastructure necessary to encourage and support entrepreneurship and small business development."

And, as amended, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):

3/16/91

SB 142, third reading copy, be amended as follows:

1. Title, line 11.

Following: "VALID";

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 25

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 298, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

SB 401, third reading copy, be amended as follows:

1. Title, line 4.

Strike: "REQUIRING"

Insert: "PROVIDING"

2. Title, line 5.

Strike: "SHALL"

Insert: "MAY"

3. Page 1, line 16.

Strike: "MANDATORY"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):

3/15/91

SB 321, third reading copy, be amended as follows:

1. Title, lines 6 and 7.

Strike: "PROVIDING A METHOD TO FUND CLAIMS OF DUI VICTIMS;"

2. Title, line 12.

Strike: "46-18-248,"

3. Title, line 13.

Strike: "53-9-109,"

Insert: "AND"

Strike: "61-8-714, AND"

4. Title, line 14.

Strike: "61-8-722,"

5. Page 1, line 17 through page 2, line 7.

Strike: section 1 in its entirety

Renumber: subsequent sections

6. Page 4, lines 19 and 20.

Strike: "convicted" on line 19 through "state" on line 20

Insert: "found by the division, by a preponderance of the evidence, to have been operating the motor vehicle while under the influence, as that term is defined in 61-8-401"

7. Page 5, line 17 through page 6, line 25.

Strike: section 4 in its entirety

Renumber: subsequent sections

8. Page 8, line 19 through page 13, line 24.

Strike: sections 6 and 7 in their entirety

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/14/91

SB 128, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/15/91

HB 137, introduced by Harrington
HB 269, introduced by Cocchiarella
HB 270, introduced by Cocchiarella
HB 297, introduced by Spring
HB 307, introduced by Quilici
HB 348, introduced by Gervais
HB 411, introduced by Kadas
HB 436, introduced by Peck
HB 610, introduced by Bradley
HJR 33, introduced by S. Rice

House bills concurred in as amended and returned to the House for
concurrence in Senate amendments:

3/15/91

HB 333, introduced by Brooke
HB 379, introduced by Brooke
HB 429, introduced by Kasten
HB 863, introduced by D. Brown

Senate bills passed and transmitted to the House for concurrence:

3/15/91

SB 274, introduced by Tveit
SB 341, introduced by Gage
SB 452, introduced by Kennedy

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**The following House bills were introduced, read first time, and referred to
committee:

HR 3, introduced by Wyatt, Hansen, J. Rice, Wallin, Clark, referred to
Committee on Local Government
HJR 44, introduced by Hayne, referred to Committee on Education and
Cultural Resources
HJR 45, introduced by Wyatt, Galvin, Ream, Bradley, Connelly, J. Brown,
J. DeBruycker, Measure, Barnhart, J. Rice, Wallin, referred to Committee
on Local Government

The following Senate bills were introduced, read first time, and referred to
committee:

SB 274, introduced by Tveit, R. DeBruycker, Weeding, Grosfield, Bengtson,
Hockett, Williams, Bruski, Nathe, Devlin, Knox, Schye, Bachini, referred to
Committee on Appropriations
SB 341, introduced by Gage, referred to Committee on Taxation
SB 452, introduced by Kennedy (by request of the Department of
Institutions), referred to Committee on Human Services and Aging

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 214 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Hoffman, Stepler, Ayes.

Excused: Boharski, Knox.

Total 2

Absent or not voting: Elliott.

Total 1

SB 228 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Cromley, Daily, Davis, J. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Squires, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 70

Noes: Bachini, Barnett, Bergsagel, Clark, Cobb, Cody, Connelly, Darko, R. DeBruycker, Driscoll, Elliott, Ellison, Foster, Grinde, M. Hanson, Kasten, Knox, Lee, McCulloch, L. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Thoft, Zook.

Total 28

Voted Absentee: Hoffman, Stepler, Ayes; Knox, No.

Excused: Boharski.

Total 1

Absent or not voting: S. Rice.

Total 1

SB 305 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Stepler, Aye.

Excused: Boharski, Hoffman, Knox.

Total 3

Absent or not voting: S. Rice.

Total 1

SB 334 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

March 16, 1991

Noes: Clark.

Total 1

Voted Absentee: Steppler, Aye.

Excused: Boharski, Hoffman, Knox.

Total 3

Absent or not voting: None.

Total 0

SB 350 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Steppler, Aye.

Excused: Boharski, Hoffman, Knox.

Total 3

Absent or not voting: None.

Total 0

SB 357 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft,

Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Cohen.
Total 1

Voted Absentee: Steppler, Aye.

Excused: Boharski, Hoffman, Knox.
Total 3

Absent or not voting: M. Hanson.
Total 1

SB 367 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 91

Noes: Bachini, Cobb, J. DeBruycker, Measure, Peck, Wyatt.
Total 6

Voted Absentee: Steppler, Aye.

Excused: Boharski, Hoffman, Knox.
Total 3

Absent or not voting: None.
Total 0

SB 432 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson,

March 16, 1991

Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Steppler, Aye.

Excused: Boharski, Hoffman, Knox.

Total 3

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gilbert in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 237 - Representative Thomas moved SB 237 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Benedict, Bergsagel, Brooke, J. Brown, Clark, Cobb, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Larson, Lee, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Simpkins, Spring, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.

Total 65

Noes: Beck, Becker, D. Brown, Cocchiarella, Cody, Cohen, Dowell, Driscoll, Galvin, Gervais, S. J. Hansen, Kimberley, Madison, McCulloch, Measure, Nisbet, O'Keefe, Quilici, Raney, Schye, Scott, Southworth, Squires, Whalen, Mr. Speaker.

Total 25

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 10

Absent or not voting: None.

Total 0

SB 248 - Representative Larson moved SB 248 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Voted Absentee: Hoffman, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 9

Absent or not voting: None.

Total 0

SB 343 - Representative Benedict moved SB 343 be concurred in.

Representative Whalen made a substitute motion consideration of SB 343 be placed below HB 160 on the second reading board. Motion carried.

SB 358 - Representative Beck moved SB 358 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

March 16, 1991

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 10

Absent or not voting: Ellison.

Total 1

SB 398 - Representative Lee moved SB 398 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 10

Absent or not voting: None.

Total 0

SB 423 - Representative Wanzenried moved SB 423 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, Harrington, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.

Total 72

Noes: Bachini, Barnett, Becker, Daily, R. DeBruycker, Ellis, Ellison, M. Hanson, Hayne, Keller, McCulloch, Peck, Peterson, Phillips, Spring, Stang, Thoft, Whalen, Mr. Speaker.

Total 19

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood.

Total 9

Absent or not voting: None.

Total 0

HB 33 - Representative O'Keefe moved Senate amendments to HB 33 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, Kasten.

Total 2

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood.

Total 9

Absent or not voting: None.

Total 0

HB 90 - Representative Mercer moved Senate amendments to HB 90 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Ellison, Kasten.

Total 2

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox,
Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

HB 118 - Representative J. Brown moved Senate amendments to HB 118
be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict,
Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody,
Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.
DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,
Forrester, Foster, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, M.
Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller,
Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy,
McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet,
O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice,
S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,
Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried,
Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox,
Menahan, Stepler, Swysgood, Thoft.
Total 11

Absent or not voting: Gould.
Total 1

HB 389 - Representative Gould moved Senate amendments to HB 389 be
concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict,
Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody,
Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R.
DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland,
Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S.
Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten,
Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy,
McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson,
Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream,
J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring,
Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin,
Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.

Total 0

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 10

Absent or not voting: None.

Total 0

SB 66 - Representative R. Johnson moved the conference committee report #1 to SB 66 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 83

Noes: Cobb, Cromley, McCarthy, Messmore, Nisbet, Phillips, J. Rice, Simpkins, Stickney, Wyatt.

Total 10

Voted Absentee: Bradley, Aye.

Excused: Boharski, Grinde, Hoffman, Kadas, Knox, Steppler, Thoft.

Total 7

Absent or not voting: None.

Total 0

SB 165 - Representative Fagg moved SB 165 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: R. DeBruycker, Ellison, Stang, Thoft.
Total 4

Excused: Boharski, Bradley, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood.
Total 8

Absent or not voting: None.
Total 0

SB 217 - Representative Lee moved consideration of SB 217 be placed below SB 422 on the second reading board. Motion carried.

SB 225 - Representative M. Hanson moved consideration of SB 225 be passed for the day. Motion carried.

SB 283 - Representative Dolezal moved SB 283 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Feland, Thoft.
Total 2

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood.
Total 9

Absent or not voting: Harrington, Lee.
Total 2

SB 371 - Representative Hansen moved SB 371 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen,

Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 59

Noes: Barnett, Bergsagel, J. Brown, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Stepler, Swysgood, Thoft, Tunby, Wallin.

Total 34

Voted Absentee: Knox, Stepler, Noes.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Zook.

Total 7

Absent or not voting: None.

Total 0

SB 422 - Representative Spring moved SB 422 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Voted Absentee: Hoffman, Stepler, Ayes.

Excused: Boharski, Bradley, Grinde, Kadas, Knox, Swysgood, Thoft.

Total 7

Absent or not voting: None.

Total 0

SB 217 - Representative R. Johnson moved SB 217 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Voted Absentee: Steppler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

SB 433 - Representative Wallin moved SB 433 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Voted Absentee: Steppler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: Ellison, Feland.

Total 2

HB 120 - Representative Hayne moved Senate amendments to HB 120 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Daily, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kadas, Kasten, Keller, Kimberley, Lee, Madison, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Ream, J. Rice, S. Rice, Schye, Simpkins, Spring, Stang, Stickney, Strizich, Swysgood, Thomas, Tunby, Wallin, Zook, Mr. Speaker.

Total 64

Noes: Barnhart, Brooke, Cocchiarella, Cohen, Cromley, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Harrington, J. Johnson, Kilpatrick, Larson, McCulloch, Measure, Peck, Quilici, Raney, Russell, Scott, Southworth, Squires, Toole, Wanzenried, Whalen, Wyatt.

Total 30

Voted Absentee: Kadas, Aye.

Excused: Boharski, Bradley, Hoffman, Knox, Stepler, Thoft.

Total 6

Absent or not voting: None.

Total 0

Representative J. Rice in the Chair at this time.

HB 160 - Representative Gilbert moved Senate amendments to HB 160 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Cody.
Total 1

Excused: Boharski, Bradley, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

SB 343 - Representative Whalen moved SB 343, third reading copy, be amended as follows (amendment #1):

1. Page 1, line 16.
Following: "~~shall~~"
Strike: "may"
Insert: "shall"

2. Page 1, line 17.
Following: "~~either~~"
Strike: "up to"
Insert: "either"

3. Page 1, line 21.
Following: "~~greater~~"
Insert: "or \$200, whichever is greater. If the department finds that there has been an unintentional violation of the requirement to carry workers' compensation insurance, the penalty may be waived"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connolly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Clark, Cobb, H. S. Hanson, Kasten, Peterson, Spring, Thomas.
Total 7

Excused: Boharski, Bradley, Gilbert, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.
Total 11

Absent or not voting: Ellison, Feland.
Total 2

Representative Benedict moved SB 343, as amended, be concurred in.
Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cody.

Total 1

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: Keller.

Total 1

HB 279 - Representative Schye moved Senate amendments to HB 279 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Becker.

Total 1

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood, Thoft.

Total 10

Absent or not voting: Ream.

Total 1

HB 537 - Representative Harper moved Senate amendments to HB 537 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel.

Total 1

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Thoft.

Total 9

Absent or not voting: Dolezal.

Total 1

HB 562 - Representative Brooke moved Senate amendments to HB 562 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood, Thoft.

Total 10

Absent or not voting: Lee.

Total 1

HB 251 - Representative Driscoll moved HB 251 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: None.

Total 0

HB 883 - Representative R. DeBruycker moved HB 883 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Beck, Connelly, H. S. Hanson, Peck.

Total 4

Excused: Boharski, Bradley, Cody, Grinde, Hoffman, Kadas, Knox, Quilici, Steppler, Swysgood, Thoft.
Total 11

Absent or not voting: Forrester.
Total 1

Representative Driscoll moved consideration of HB 901, HB 966, HB 974 and SB 132 be passed for the day. Motion carried.

HB 950 - Representative Brooke moved HB 950 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Barnett, Bergsagel, Clark, Cobb, H. S. Hanson, M. Hanson, Hayne, Kasten, Keller, McCaffree, Peck, Peterson, Phillips, Simpkins, Spring, Thoft, Thomas, Wallin.
Total 18

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood.
Total 9

Absent or not voting: Ellison.
Total 1

SB 18 - Representative Gilbert moved SB 18 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Thomas, Tunby, Wallin, Whalen, Zook.
Total 80

Noes: Bachini, Cody, Peck, Wyatt.

Total 4

Voted Absentee: Steppler, Aye.

Excused: Boharski, Bradley, Driscoll, Grady, Grinde, Hoffman, J. Johnson, Kadas, Knox, Swysgood, Thoft, Mr. Speaker.

Total 12

Absent or not voting: Southworth, Squires, Toole, Wanzenried.

Total 4

Representative Gilbert resumed the Chair at this time.

SB 120 - Representative McCarthy moved SB 120 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 70

Noes: Barnett, Bergsagel, Clark, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Hayne, Kasten, Keller, L. Nelson, Phillips, Simpkins, Spring, Steppler, Thoft, Thomas, Tunby, Wallin.

Total 22

Voted Absentee: Steppler, No.

Excused: Boharski, Bradley, Grinde, Hoffman, Kadas, Knox, Swysgood, Zook.

Total 8

Absent or not voting: None.

Total 0

SB 156 - Representative Squires moved SB 156 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson,

Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Ellison, Feland, Thoft.
Total 3

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Menahan, Swysgood.
Total 9

Absent or not voting: Gould, McCarthy.
Total 2

SB 157 - Representative Cocchiarella moved SB 157 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: R. DeBruycker, Feland, Thoft.
Total 3

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Menahan, Swysgood, Zook.
Total 10

Absent or not voting: S. J. Hansen, McCarthy.
Total 2

SB 188 - Representative Lee moved SB 188 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert,

Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Barnett, Becker, Connelly, Ellison, Feland, Kasten, Messmore, Wallin.
Total 8

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.
Total 9

Absent or not voting: Mercer.
Total 1

SB 231 - Representative Wanzenried moved SB 231 be concurred in.
Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Ellison, Thoft.
Total 2

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood.
Total 8

Absent or not voting: None.
Total 0

SB 261 - Representative D. Brown moved SB 261 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Thoft.
Total 1

Voted Absentee: Kadas, Stepler, Ayes.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Knox.
Total 6

Absent or not voting: S. J. Hansen.
Total 1

SB 304 - Representative D. Brown moved SB 304 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood, Thoft.
Total 10

Absent or not voting: None.

Total 0

Representative J. Rice in the Chair at this time.

SB 335 - Representative H.S. Hanson moved SB 335 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: J. DeBruycker, Ellison, Feland, Peck.

Total 4

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 8

Absent or not voting: Galvin.

Total 1

SB 360 - Representative Benedict moved SB 360 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 82

Noes: Beck, Cody, Cohen, Cromley, Measure, Peck, Wyatt.

Total 7

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.
Total 9

Absent or not voting: Elliott, Lee.
Total 2

SB 381 - Representative R. Johnson moved SB 381 be concurred in.
Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: Boharski, Bradley, Connelly, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood, Thoft.
Total 11

Absent or not voting: J. Brown, Daily, Pavlovich.
Total 3

SB 402 - Representative Gilbert moved SB 402 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.

Total 0

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: None.

Total 0

Representative Gilbert resumed the Chair at this time.

HB 99 - Representative Stang moved Senate amendments to HB 99 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 79

Noes: Barnett, Bergsagel, Cody, Cohen, R. DeBruycker, Ellison, Galvin, S. J. Hansen, Measure, Thoft, Wyatt.

Total 11

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood.

Total 9

Absent or not voting: H. S. Hanson.

Total 1

HB 424 - Representative Stickney moved Senate amendments to HB 424 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, M. Hanson, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang,

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Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Wanzenried, Whalen, Mr. Speaker.

Total 71

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, Cody, R. DeBruycker, Ellison, Foster, H. S. Hanson, Hayne, Kasten, Keller, Peterson, Simpkins, Spring, Tunby, Wallin, Wyatt, Zook.

Total 20

Voted Absentee: Steppler, Aye.

Excused: Bardanouve, Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox.

Total 8

Absent or not voting: Mercer.

Total 1

HJR 41 - Representative L. Nelson moved Senate amendments to HJR 41 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Voted Absentee: Steppler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: Daily, Pavlovich.

Total 2

HB 568 - Representative J. Rice moved consideration of HB 568 be passed for the day. Motion carried.

HB 877 - Representative Ream moved HB 877 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Cobb, R. DeBruycker, Hayne, Kasten.
Total 5

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

HB 953 - Representative S. Rice moved HB 953 do pass. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Bergsagel.
Total 1

Excused: Bardanouve, Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood, Thoft.
Total 11

Absent or not voting: None.
Total 0

SB 7 - Representative Toole moved SB 7 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 83

Noes: Benedict, Feland, Gould.
Total 3

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Stepler, Swysgood, Thoft, Zook.
Total 11

Absent or not voting: Elliott, Ellis, S. J. Hansen.
Total 3

SB 109 - Representative Schye moved SB 109 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 90

Noes: Wyatt.
Total 1

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: None.

Total 0

SB 112 - Representative McCulloch moved SB 112 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 77

Noes: Bergsagel, Brooke, Cohen, Connelly, J. DeBruycker, Gilbert, McCaffree, L. Nelson, Peck, Stang, Wyatt.

Total 11

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 10

Absent or not voting: S. J. Hansen, H. S. Hanson.

Total 2

SB 169 - Representative S. Rice moved consideration of SB 169 be placed below SB 232 on the second reading board. Motion carried.

SB 232 - Representative S. Rice moved SB 232 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 79

Noes: Benedict, Bergsagel, Foster, Gould, Kasten, Larson, McCaffree, Scott, Zook.

Total 9

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Cobb, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 10

Absent or not voting: Clark, Thomas.

Total 2

SB 169 - Representative S. Rice moved SB 169 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Gould, Peck, Scott.

Total 3

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: Russell.

Total 1

SB 240 - Representative Strizich moved SB 240 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson,

Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Swysgood, Thoft.

Total 9

Absent or not voting: Clark.

Total 1

Representative Driscoll moved consideration of SB 252, SB 306 and SB 408 be passed for the day. Motion carried.

SB 260 - Representative Spring moved SB 260 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Bergsagel, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 73

Noes: Becker, Benedict, Clark, Cody, J. DeBruycker, R. DeBruycker, J. Johnson, Madison, McCaffree, Phillips, Simpkins, Southworth, Stickney, Swysgood, Thoft, Wyatt, Zook.

Total 17

Excused: Boharski, Bradley, Grady, Grinde, Hoffman, Kadas, Knox, Peterson, Stepler.

Total 9

Absent or not voting: Feland.

Total 1

SB 265 - Representative Driscoll moved consideration of SB 265 be passed for the day. Motion carried.

SB 276 - Representative Hansen moved SB 276 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: J. DeBruycker, R. DeBruycker, Feland, Kasten, McCaffree, T. Nelson, Simpkins.
Total 7

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Swysgood, Thoft.
Total 10

Absent or not voting: None.
Total 0

SB 310 - Representative Russell moved SB 310 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Barnett, Clark, Ellison, Feland, Kasten, Simpkins.
Total 6

Voted Absentee: Stepler, Aye.

Excused: Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Swysgood, Thoft.
Total 10

Absent or not voting: None.

Total 0

SB 315 - Representative Whalen moved SB 315 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 83

Noes: Cody, Measure, Wyatt.

Total 3

Excused: Bardanouve, Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Menahan, Steppler, Swysgood, Thoft.

Total 13

Absent or not voting: McCarthy.

Total 1

HB 151 - Representative Stang moved Senate amendments to HB 151 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 11

Absent or not voting: None.

Total 0

HB 258 - Representative Bachini moved Senate amendments to HB 258 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 11

Absent or not voting: None.

Total 0

HB 304 - Representative Clark moved Senate amendments to HB 304 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 87

Noes: Peck, Wyatt.

Total 2

Excused: Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 11

Absent or not voting: None.

Total 0

HB 403 - Representative Spring moved Senate amendments to HB 403 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Steppler, Swysgood, Thoft.

Total 11

Absent or not voting: None.

Total 0

Representative Driscoll moved consideration of HB 413 and HJR 11 be passed for the day. Motion carried.

HB 479 - Representative Hayne moved Senate amendments to HB 479 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Cody, Measure, Southworth.

Total 3

Excused: Bardanouve, Boharski, Bradley, Grady, Grinde, Harrington, Hoffman, Kadas, Knox, Peterson, Stepler, Swysgood, Thoft.
Total 13

Absent or not voting: S. Rice.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Gilbert moved the adoption of the committee report. Report adopted. (85-0)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 996, introduced by Ream, Van Valkenburg, Kimberley, Elliott, Driscoll, Cohen, Barnhart, referred to Committee on Taxation

HB 997, introduced by Thomas, Driscoll, Benedict, referred to Committee on Labor and Employment Relations

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 33. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on HB 151. Motion carried.

Representative Driscoll moved HB 718 and HB 841 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved SB 415 be taken from the Committee on Fish and Game and rereferred to the Committee on Taxation. Motion carried.

Representative Driscoll moved HB 950 be taken from engrossing and rereferred to the Committee on Appropriations. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 33:

Representative O'Keefe, Chairman
Representative Measure
Representative Spring

Mr. Speaker appointed the following members to the free conference committee on HB 151:

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Representative Stang, Chairman
Representative Elliott
Representative Thomas

MOTIONS

Representative Ellis moved the rules be suspended to allow him to be recorded as voting no on SB 120, second reading. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Monday, March 18, 1991. Motion carried.

House adjourned at 11:10 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 18, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Reverend Daniel Wanders. Pledge of Allegiance to the Flag.

Roll call. All members present except Gervais, Keller, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/18/91

Correctly printed: HB 664.

Correctly engrossed: HB 251, HB 877, HB 883, HB 953, SB 7, SB 18, SB 109, SB 112, SB 120, SB 156, SB 157, SB 165, SB 169, SB 188, SB 217, SB 231, SB 232, SB 237, SB 240, SB 248, SB 254, SB 257, SB 260, SB 261, SB 276, SB 283, SB 304, SB 310, SB 315, SB 335, SB 343, SB 358, SB 360, SB 371, SB 381, SB 398, SB 402, SB 422, SB 423, SB 424, SB 433.

Correctly enrolled: HB 149, HB 166, HB 168, HB 248, HB 275, HB 425, HB 445, HB 481, HB 521, HB 529, HB 555, HB 622, HJR 12, HJR 22.

Examined by the sponsor and found to be correct:

HB 148 - Toole

HB 156 - Toole

HB 177 - Toole

HB 221 - Toole

Signed by the Speaker at 12:30 p.m., 3/18/91: HB 148, HB 156, HB 177, HB 221, SB 30, SB 85, SB 116, SB 130, SB 158, SB 180.

Delivered to the Governor for his approval at 9:32 a.m., 3/18/91: HB 3, HB 38, HB 55, HB 69, HB 82, HB 101, HB 102, HB 114, HB 135, HB 189, HB 223, HB 225, HB 231, HB 276, HB 310, HB 345, HB 432, HB 516, HB 585, HB 695.

Delivered to the Secretary of State at 10:00 a.m., 3/18/91: HJR 15

HIGHWAYS AND TRANSPORTATION (Stang, Chairman): 3/18/91

SB 297, third reading copy, be concurred in. Report adopted.

SB 319, third reading copy, be concurred in. Report adopted.

SB 322, third reading copy, be concurred in. Report adopted.

SB 329, third reading copy, be concurred in. Report adopted.

SB 356, third reading copy, be concurred in. Report adopted.

LABOR AND EMPLOYMENT RELATIONS (Squires, Chairman): 3/18/91

SB 267, third reading copy, be amended as follows:

1. Page 1, line 15.

Following: "employers"

Insert: "or unions"

2. Page 1, lines 19 and 23.

Following: "employees"

Insert: "or organizations"

3. Page 2, lines 3 and 23

Page 4, line 1.

Following: "employer"

Insert: "or a union"

4. Page 2, lines 23 and 24.

Following: "business"

Insert: "or organization"

5. Page 2, line 25.

Following: "employer's"

Insert: "or the organization's"

6. Page 3, line 1.

Following: "employer"

Insert: "or the organization"

And, as amended, be concurred in. Report adopted.

SB 383, third reading copy, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/16/91

HB 60, introduced by Jacobson

HB 63, introduced by Stang

HB 83, introduced by Stang

HB 87, introduced by Stang

HB 153, introduced by Ream

HB 232, introduced by Clark

HB 286, introduced by Strizich

HB 295, introduced by Benedict

HB 296, introduced by Benedict

HB 331, introduced by Kilpatrick

HB 630, introduced by McCulloch

HB 663, introduced by Dowell

HB 675, introduced by Squires

HB 774, introduced by R. Johnson

HB 848, introduced by Bardanouve

HB 902, introduced by Grady

House bills concurred in as amended and returned to the House for
concurrence in Senate amendments:

3/16/91

HB 76, introduced by Gould

HB 284, introduced by Foster

HB 311, introduced by Hoffman

HB 549, introduced by Grady

HB 588, introduced by Davis

HB 782, introduced by Hansen

HB 816, introduced by Harrington

HB 819, introduced by Russell

Senate bill passed and transmitted to the House for concurrence:

3/16/91

SB 369, introduced by Jacobson

House bill not concurred in and returned to the House: 3/14/91

HB 674, introduced by Cobb

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 998, introduced by Cody, Elliott, McCulloch, Nisbet, Cohen, Ream, referred to Committee on Taxation

HB 999, introduced by Peck (by request of the Superintendent of Public Instruction), referred to Committee on Education and Cultural Resources

The following Senate bill was introduced, read first time, and referred to committee:

SB 369, introduced by Jacobson, Becker, Kadas, Mazurek, Strizich, Blaylock, Harper, Schye, Van Valkenburg, referred to Committee on Business and Economic Development

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 7 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Gervais, Keller, Ream.

Total 3

Absent or not voting: Kasten.

Total 1

SB 18 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 94

Noes: Cody, Measure, Peck, Wyatt.

Total 4

Voted Absentee: Gervais, Aye.

Excused: Keller, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 109 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 94

Noes: Ellison, Wyatt.

Total 2

Excused: Gervais, Keller, Ream.

Total 3

March 18, 1991

Absent or not voting: Fagg.

Total 1

SB 112 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 82

Noes: Bergsagel, Brooke, Cohen, J. DeBruycker, Forrester, Gilbert, S. J. Hansen, McCaffree, L. Nelson, O'Keefe, Peck, Peterson, Stang, Wyatt, Zook.

Total 15

Excused: Gervais, Keller, Ream.

Total 3

Absent or not voting: None.

Total 0

SB 120 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 71

Noes: Barnett, Bergsagel, Boharski, Clark, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Kasten, Knox, L. Nelson, Peterson, Phillips, Simpkins, Spring, Stepler, Swysgood, Thoft, Tunby, Wallin, Zook.

Total 27

Voted Absentee: Gervais, Aye.

Excused: Keller, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 156 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Ellison, Feland.

Total 3

Voted Absentee: Gervais, Aye.

Excused: Keller, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 157 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Barnett, Bergsagel, Boharski, R. DeBruycker, Ellison, Feland.

Total 6

Voted Absentee: Gervais, Aye.

Excused: Keller, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 165 - Representative Stang moved consideration of SB 165 be passed for the day. Motion carried.

SB 169 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Feland, Gould, Scott.

Total 4

Excused: Gervais, Keller, Ream.

Total 3

Absent or not voting: Elliott.

Total 1

SB 188 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Barnett, Becker, Bergsagel, Boharski, Cody, Connelly, Ellison, Feland, Gilbert, Grinde, Kasten, Measure, Messmore, Peck, Phillips, Quilici, Wallin.

Total 17

Excused: Gervais, Keller, Ream.

Total 3

Absent or not voting: Toole.

Total 1

SB 217 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 231 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Gervais, Keller.
Total 2

Absent or not voting: Cobb.
Total 1

SB 232 - Representative Driscoll moved consideration of SB 232 be passed for the day. Motion carried.

SB 237 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cohen, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 84

Noes: Beck, Cocchiarella, Cody, Darko, J. DeBruycker, Gilbert, L. Nelson, Nisbet, Raney, Russell, Southworth, Squires, Mr. Speaker.
Total 13

Excused: Gervais, Keller.
Total 2

Absent or not voting: Benedict.
Total 1

SB 240 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Boharski.
Total 2

Voted Absentee: Gervais, Aye.

Excused: Keller.

Total 1

Absent or not voting: Cohen, Ream.

Total 2

SB 248 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 260 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grinde, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 71

Noes: Becker, Benedict, D. Brown, Clark, Cobb, Cody, Cohen, J. DeBruycker, R. DeBruycker, Driscoll, Grady, H. S. Hanson, Hoffman, Kasten, Knox, Madison, McCaffree, Nisbet, Peterson, Phillips, Simpkins, Southworth, Swysgood, Thoft, Wyatt, Zook.

Total 26

Excused: Gervais, Keller.

Total 2

Absent or not voting: S. J. Hansen.

Total 1

SB 261 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Clark, Cobb, Cohen, Peterson.

Total 4

Excused: Gervais, Keller.

Total 2

Absent or not voting: Boharski.

Total 1

SB 276 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Barnett, R. DeBruycker, Feland, Kasten, McCaffree, Simpkins.

Total 6

Voted Absentee: Gervais, Aye.

Excused: Keller.

Total 1

Absent or not voting: Boharski.

Total 1

SB 283 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 304 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel.

Total 1

Excused: Gervais, Keller.
Total 2

Absent or not voting: None.
Total 0

SB 310 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski, Clark, Cobb, Feland, Kasten, Peck, Peterson, Spring.
Total 8

Voted Absentee: Gervais, Aye.

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 315 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 94

Noes: Connelly, Measure, Wyatt.
Total 3

Excused: Gervais, Keller.

Total 2

Absent or not voting: Scott.

Total 1

SB 335 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Feland.

Total 1

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 343 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.

Total 88

Noes: Cody, J. DeBruycker, Galvin, L. Nelson, Nisbet, Peck, Scott, Stepler, Wyatt, Zook.

Total 10

Excused: Gervais, Keller.
Total 2

Absent or not voting: None.
Total 0

SB 358 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gervais, Keller.
Total 2

Absent or not voting: Feland, S. J. Hansen.
Total 2

SB 360 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bachini, Cody, Cohen, Cromley, J. DeBruycker, Measure, Peck.
Total 7

Excused: Gervais, Keller.
Total 2

Absent or not voting: None.

Total 0

SB 371 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 61

Noes: Barnett, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Knox, Lee, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Wallin, Zook.

Total 38

Voted Absentee: Gervais, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

SB 381 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 398 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Gervais, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

SB 402 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 422 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 423 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.

Total 76

Noes: Bachini, Becker, Clark, Connelly, Daily, R. DeBruycker, Ellis, Grinde, M. Hanson, Hayne, Knox, T. Nelson, Peck, Peterson, Phillips, Spring, Stang, Stepler, Swysgood, Thoft, Mr. Speaker.

Total 21

Excused: Gervais, Keller.

Total 2

Absent or not voting: Barnett.

Total 1

SB 433 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Gervais, Keller.
Total 2

Absent or not voting: Boharski, J. DeBruycker.
Total 2

HB 90, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cohen, Kasten, Measure, O'Keefe.
Total 4

Excused: Gervais, Keller.
Total 2

Absent or not voting: None.
Total 0

HB 99, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 84

Noes: Bachini, Barnett, Bergsagel, Boharski, Cohen, R. DeBruycker, Ellison, Measure, Peck, Peterson, Spring, Steppler, Wyatt.

Total 13

Excused: Gervais, Keller.

Total 2

Absent or not voting: Hayne.

Total 1

HB 118, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Peck.

Total 1

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

HB 120, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Daily, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.

Total 74

Noes: Barnhart, Brooke, Cocchiarella, Cohen, Cromley, Darko, Davis, Dolezal, Elliott, Kadas, Kilpatrick, Measure, Nisbet, O'Keefe, Peck, Raney, Russell, Southworth, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.

Total 23

Excused: Gervais, Keller.

Total 2

Absent or not voting: Feland.

Total 1

HB 160, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

HB 258, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Peck.

Total 1

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

HB 279, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: Brooke, S. J. Hansen.

Total 2

HB 304, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Peck.

Total 1

Excused: Gervais, Keller.

Total 2

Absent or not voting: S. J. Hansen.

Total 1

HB 389, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

HB 403, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Daily, Pavlovich, Peck.

Total 3

Excused: Gervais, Keller.

Total 2

Absent or not voting: Squires.

Total 1

HB 424, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, J. Johnson, Kilpatrick, Kimberley, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Whalen.

Total 70

Noes: Barnett, Benedict, Bergsagel, Clark, Cobb, R. DeBruycker, Feland, Foster, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Knox, Larson, Mercer, T. Nelson, Peck, Peterson, Phillips, Ream, Simpkins, Spring, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 29

Voted Absentee: Gervais, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

HB 479, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 94

Noes: Cody, McCaffree, Southworth, Wyatt.

Total 4

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

HB 537, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel.

Total 1

Excused: Gervais, Keller.

Total 2

Absent or not voting: Brooke.

Total 1

HB 562, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bachini, Peck.

Total 2

Excused: Gervais, Keller.

Total 2

Absent or not voting: S. J. Hansen.

Total 1

HJR 41, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Gervais, Keller.

Total 2

Absent or not voting: Hoffman.

Total 1

SB 66, conference committee report #1, adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Barnett, Bergsagel, Cobb, Cromley, Ellison, Feland, Foster, Gilbert, Gould, Knox, Messmore, Peck, Phillips, J. Rice, Simpkins, Stepler, Stickney, Toole.
Total 19

Voted Absentee: Gervais, Aye.

Excused: Keller.
Total 1

Absent or not voting: Boharski.
Total 1

SB 254 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Bachini, Cody, Menahan, Peck, Swysgood.
Total 5

Excused: Gervais, Keller.
Total 2

Absent or not voting: None.
Total 0

SB 257 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Peck.

Total 1

Excused: Gervais, Keller.

Total 2

Absent or not voting: None.

Total 0

SB 424 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel.

Total 1

Excused: Gervais, Keller.

Total 2

Absent or not voting: S. J. Hansen.

Total 1

Representative Driscoll moved the House recess until 1:50 p.m. Motion carried.

House recessed at 1:35 p.m.

House reconvened at 2:00 p.m. Mr. Speaker in the Chair.

MOTIONS

Representative Darko moved consideration of HB 568, HB 901, HB 974, SB 252, SB 306, SB 408 and Senate amendments to HB 413 be passed for the day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Darko moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Elliott in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 966 - Representative Stepler moved HB 966 do pass. Motion carried as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: None.
Total 0

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Connelly, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 10

Absent or not voting: Ellison, Gould, Kasten.
Total 3

SB 132 - Representative Stang moved SB 132 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Connelly, Cromley, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Knox, Larson, Madison, McCaffree, McCulloch, Messmore, L. Nelson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Scott, Simpkins, Squires, Stang, Stepler, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 59

Noes: Bachini, Becker, Cocchiarella, Cody, Cohen, Daily, Darko, Dolezal, Dowell, Ellison, Fagg, S. J. Hansen, Hayne, Kasten, Kilpatrick, Kimberley, Lee, McCarthy, Measure, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Schye, Southworth, Spring, Strizich, Whalen, Wyatt.
Total 32

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

SB 225 - Representative O'Keefe moved SB 225, third reading copy, be amended as follows (amendment #1):

1. Title, line 11.
Following: "TO"
Insert: "AT LEAST \$75 AND"

2. Page 2, line 3.
Following: "\$5,000"
Insert: "at least \$75 and"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Bradley, Cobb, Gervais, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 10

Absent or not voting: None.
Total 0

Representative Knox moved SB 225, as amended be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

SB 265 - Representative Ream moved SB 265 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer,

Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Bachini, Kasten, Tunby.

Total 3

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.

Total 9

Absent or not voting: J. DeBruycker, Fagg, Measure.

Total 3

HJR 11 - Representative Knox moved Senate amendments to HJR 11 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.

Total 9

Absent or not voting: None.

Total 0

HB 752 - Representative Toole moved HB 752 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell,

Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Becker, Bergsagel, Boharski, Gould, S. J. Hansen, M. Hanson, Lee, Stang.
Total 8

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

SB 136 - Representative Wanzenried moved SB 136 be concurred in.
Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Bachini, Barnett, Benedict, Bergsagel, J. DeBruycker, R. DeBruycker, Ellis, H. S. Hanson, Hayne, Kasten, L. Nelson, Phillips, Spring, Stang, Stepler, Thomas, Zook.
Total 17

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 9

Absent or not voting: Boharski.
Total 1

SB 239 - Representative Strizich moved SB 239 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Barnett, Bergsagel, Boharski, Daily, Feland, Hayne, Kasten, Pavlovich, Simpkins, Southworth, Stepler, Tunby, Whalen.
Total 13

Voted Absentee: Gervais, Aye.

Excused: Bardanoue, Bradley, Cobb, Grady, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 11

Absent or not voting: None.
Total 0

SB 250 - Representative Messmore moved consideration of SB 250 be placed below SB 327 on the second reading board. Motion carried.

SB 291 - Representative Hoffman moved SB 291 be concurred in. Motion carried as follows:

Ayes: Bardanoue, Barnhart, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Spring, Squires, Stang, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Bachini, Barnett, Beck, Becker, Boharski, Cromley, Davis, S. J. Hansen, J. Johnson, Kilpatrick, Larson, L. Nelson, Russell, Simpkins, Southworth, Stepler, Stickney, Whalen.
Total 18

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.

Total 9

Absent or not voting: None.

Total 0

SB 307 - Representative J. Brown moved SB 307 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: R. DeBruycker, S. J. Hansen, Spring, Stepler, Whalen.

Total 5

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.

Total 9

Absent or not voting: Ream.

Total 1

SB 323 - Representative Mercer moved SB 323, third reading copy, be amended as follows (amendment #1):

1. Page 2, line 15.

Following: "owner's"

Insert: "or the seller's"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice,

Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Scott.

Total 1

Excused: Bradley, Cobb, Gervais, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.

Total 10

Absent or not voting: McCulloch.

Total 1

Representative Wallin moved SB 323, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Clark, Galvin.

Total 2

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.

Total 9

Absent or not voting: None.

Total 0

SB 327 - Representative Messmore moved SB 327 be concurred in. Motion carried as follows:

Ayes: Barnett, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Knox, Lee, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice,

Schye, Simpkins, Spring, Stang, Stepler, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook.
Total 59

Noes: Bachini, Barnhart, Becker, Brooke, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Feland, Galvin, Gervais, S. J. Hansen, Kimberley, Larson, Madison, McCaffree, Measure, L. Nelson, Pavlovich, Russell, Scott, Southworth, Squires, Stickney, Whalen, Wyatt, Mr. Speaker.
Total 30

Voted Absentee: Gervais, No.

Excused: Bardanouve, Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 10

Absent or not voting: Beck.
Total 1

SB 250 - Representative Messmore moved SB 250 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 87

Noes: Bachini, Measure, Southworth, Wyatt.
Total 4

Voted Absentee: Gervais, Aye.

Excused: Bradley, Cobb, Grinde, Kadas, Keller, Peck, Peterson, Swysgood, Thoft.
Total 9

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Elliott moved the adoption of the committee report. Report adopted. (83-3)

REPORTS OF STANDING COMMITTEES

HIGHWAYS AND TRANSPORTATION (Stang, Chairman) 3/18/91

Adverse Committee Report

SB 121, third reading copy, be not concurred in.

JUDICIARY (Strizich, Chairman): 3/18/91

SB 1, third reading copy, be amended as follows:

1. Page 92, lines 17 and 18.

Strike: "A lessor aggrieved under [section 77(1)]"

Insert: "If a lessee under a lease contract defaults as described in [section 77] or, if agreed, after other default by the lessee, a lessor"

2. Page 100, line 2.

Strike: "After"

Insert: "If"

3. Page 100, lines 2 through 4.

Strike: "has wrongfully" on line 2 through "[section 49)]" on line 4

Insert: "under a lease contract defaults as described in [section 77(1) or (3)(a)] or, if agreed, after other default by the lessee"

4. Page 100, line 6.

Strike: "sections 81 and"

Insert: "section 81 or"

And, as amended, be concurred in. Report adopted.

SB 392, third reading copy, be amended as follows:

1. Page 2, line 4.

Following: "MAY"

Insert: ", if satisfied that the information is necessary for the determination of property rights,"

2. Page 2, line 5.

Strike: "ISSUES"

Insert: "ISSUE"

And, as amended, be concurred in. Report adopted.

TAXATION (Harrington, Chairman): 3/18/91

HB 285, second reading copy, be amended as follows:

1. Page 2, line 3.

Strike: "and"

2. Page 2, line 4.

Following: "establishment"

Strike: "."

Insert: ";

(v) up to \$50 on each irrigated parcel of property that does not contain a dwelling; and

(vi) up to \$15 on each nonirrigated parcel of property that does not contain a dwelling.

(2) A countywide mosquito control district may be financed by a property tax pursuant to subsection (1)(a) or a fee under subsection (1)(b), but not by both a tax and a fee."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 312, introduced bill, be amended as follows:

1. Title, lines 9 and 10.

Strike: "PROVIDE AN APPROPRIATION FOR"

Insert: "INCREASE THE REGISTRATION FEES FOR AUTOMOBILES, LIGHT TRUCKS, MOTORCYCLES, QUADRICYCLES, AND LIGHT TRAILERS BY \$3 TO FUND"

2. Title, line 12.

Following: "46-8-202,"

Insert: "61-3-321, 61-3-325,"

3. Page 6, lines 6 and 7.

Strike: "-- state funding after expenditure of county district court funds"

4. Page 15.

Following: line 12

Insert: "Section 12. Section 61-3-321, MCA, is amended to read:

"61-3-321. Registration fees of vehicles -- public-owned vehicles exempt from license or registration fees -- disposition of fees. (1) Registration or license fees must be paid upon registration or reregistration of motor vehicles, trailers, housetrailers, and semitrailers, in accordance with this chapter, as follows:

(a) motor vehicles weighing 2,850 pounds or under (other than motortrucks), ~~\$5~~ \$8;

(b) motor vehicles weighing over 2,850 pounds (other than motortrucks), ~~\$10~~ \$13;

(c) electrically driven passenger vehicles, \$10;

(d) all motorcycles and quadricycles, ~~\$2~~ \$5;

(e) tractors and/or trucks, \$10;

(f) buses are classed as motortrucks and licensed accordingly;

(g) trailers and semitrailers less than 2,500 pounds maximum gross loaded weight and housetrailers of all weights, ~~\$2~~ \$5;

(h) trailers and semitrailers over 2,500 up to 6,000 pounds maximum gross loaded weight (except housetrailers), \$5;

(i) trailers and semitrailers over 6,000 pounds maximum gross loaded weight, \$10;

(j) trailers used exclusively in the transportation of logs in the forest or in the transportation of oil and gas well machinery,

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road machinery, or bridge materials, new and secondhand, \$15 annually, regardless of size or capacity.

(2) All rates are 25% higher for motor vehicles, trailers, and semitrailers not equipped with pneumatic tires.

(3) "Tractor", as specified in this section, means any motor vehicle, except passenger cars, used for towing a trailer or semitrailer.

(4) If any motor vehicle, housetrailer, trailer, or semitrailer is originally registered 6 months after the time of registration as set by law, the registration or license fee for the remainder of the year is one-half of the regular fee.

(5) An additional fee of \$5.25 per year for each registration of a vehicle must be collected as a registration fee. Revenue from this fee must be forwarded by the respective county treasurers to the state treasurer for deposit in the general fund. The department of justice shall distribute 25 cents from each fee collected to the highway patrol retirement fund.

(6) A fee of \$2 for each set of new number plates must be collected when number plates provided for under 61-3-332(3) are issued. Revenue from this fee must be deposited as provided in subsection (5).

(7) The provisions of this part with respect to the payment of registration fees do not apply to and are not binding upon motor vehicles, trailers or semitrailers, or tractors owned or controlled by the United States of America or any state, county, or city.

(8) The provisions of this section relating to the payment of registration fees or new number plate fees do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332, or 61-3-335.

(9) The county treasurer shall deduct \$3 as a district court fee from the fee collected in subsections (1)(a), (1)(b), (1)(d), and (1)(g). The county treasurer shall credit the fee for district courts to a separate suspense account and shall forward the amount in the account to the state treasurer at the time the county treasurer distributes the motor vehicle suspend fund. The state treasurer shall credit that amount to the general fund to be used for purposes of state funding of district court expenses as provided in 3-5-901 and [section 5]."

Section 13. Section 61-3-325, MCA, is amended to read:

"61-3-325. Vehicles subject to staggered registration -- fees and taxes -- disposition. (1) Any motor vehicle in the fleet that is subject to staggered registration under 61-3-313 through 61-3-316 may be registered as part of the fleet on the following fleet renewal date. The department of highways shall collect the remaining fees and taxes due for the registration year after crediting the registrant for the period that was previously paid.

(2) (a) The department of highways shall compute fees and taxes due on each motor vehicle in the fleet as provided in part 5 of this chapter, based on its domicile.

(b) The department of highways shall also collect a registration fee of \$7.50 for each motor vehicle in the fleet in lieu of the registration fee provided for in 61-3-321. The department

shall retain \$4.50 of each registration fee for administrative costs and forward the remaining \$3 to the state treasurer for deposit in the general fund in lieu of the fee provided in 61-3-321(5). The department of highways shall deduct the \$3 district court fee on applicable vehicle registration fees as provided in 61-3-321(9) and forward that amount to the state treasurer who shall credit that amount to the general fund to be used for the purposes of state funding of district court expenses as provided in 3-5-901 and [section 5].

(c) All fees and taxes must be paid no later than February 15 each year.

(d) The fees and taxes collected must be distributed by the department of highways as provided in 61-3-321 and part 5 of this chapter, based on the domicile of each motor vehicle.""

Renumber: subsequent sections

5. Page 16, line 16.

Following: "~~collected.~~"

Insert: "Any amount forwarded to the state treasurer under this subsection that is not used for district court expenses must be refunded to the counties in the proportion that the amount collected from each county bears to the total amount collected."

6. Page 16, line 17 through page 17, line 6.

Strike: section 13 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 386, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "1"

Insert: "0.25"

2. Page 1, line 17.

Strike: "~~4.76%~~"

Insert: "1.19%"

3. Page 1, line 18.

Following: "parks"

Insert: ", as provided in [section 3],"

4. Page 5, line 15.

Strike: "21"

Insert: "20.25"

5. Page 6, line 2.

Strike: "4.76% of"

And, as amended, do pass. Report adopted.

HB 547, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "FOR STORES GROSSING \$1,500 OR LESS A YEAR"

2. Page 1, lines 10 and 11.

Strike: "does not generate gross revenue in excess of \$1,500 in a year"

Insert: "generates income used only for the purposes for which the operator is organized"

And, as amended, do pass. Report adopted.

HB 907, introduced bill, be amended as follows:

1. Title, lines 4 through 6.

Strike: "CLARIFYING" on line 4 through "BENEFITS;" on line 6

2. Title, line 8.

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 9.

Strike: "7-33-2311 AND"

4. Page 1, line 12 through page 2, line 3.

Strike: section 1 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

MOTIONS

Representative Driscoll moved HB 664 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved SB 232 be taken from third reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Simpkins moved he be allowed to change his vote on SB 18, third reading, from no to yes. Motion carried.

Representative R. DeBruycker moved the rules be suspended to allow him to be recorded as voting yes on SB 265, second reading. Motion carried.

Representative Lee moved Representative Boharski be allowed to change his vote on SB 310, third reading, from yes to no. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Mr. Speaker introduced this week's pages:

Julie Calnan, Butte
Jody DeBruycker, Dutton
Camilla Gruber, Clancy
Hilary Kuntz, Harlem
Shannon Jones, Sheridan
Michelle Noble, Clancy
Kurt Racicot, Frenchtown
Denim Yarger, Circle
Karel Morales, Missoula, Minority Office Page

Representative Driscoll moved the House adjourn until 1:00 p.m., Tuesday, March 19, 1991. Motion carried.

House adjourned at 3:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 19, 1991

House Chambers
State Capitol

House convened at 1:10 p.m. Mr. Speaker in the Chair. Invocation by Representative Hansen. Pledge of Allegiance to the Flag was presented by the Lewis and Clark Honor Guard from Great Falls.

Roll call. All members present except Keller, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifty-fifth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/19/91

Correctly printed: HB 285, HB 312, HB 386, HB 547, HB 907.

Correctly engrossed: HB 752, HB 966, SB 132, SB 136, SB 225, SB 239, SB 250, SB 265, SB 291, SB 298, SB 307, SB 323, SB 327.

Correctly enrolled: HB 158, HB 182, HB 227, HB 262, HB 266, HB 648, HB 682, HB 725, HB 756, HB 769, HB 854.

Examined by the sponsor and found to be correct:

HB 149 - Forrester

HB 158 - Wanzenried

HB 168 - McCulloch

HB 182 - Larson

HB 217 - Spring

HB 227 - Larson

HB 248 - R. Johnson

HB 262 - Harrington

HB 266 - M. Hanson

HB 275 - Strizich

HB 425 - Stickney

HB 445 - J. Rice

HB 481 - Wallin

HB 521 - Dolezal

HB 529 - Feland

HB 555 - Hoffman

HB 622 - Swysgood

HB 648 - Wanzenried

HB 682 - J. DeBruycker

HB 725 - Spring

HB 756 - McCaffree

HB 769 - Cocchiarella

HB 854 - Foster

HJR 12 - Grady

HJR 22 - D. Brown

Signed by the Speaker at 8:00 a.m., 3/19/91: SB 80, SB 88, SB 102, SB 131, SB 141, SB 224, SJR 13.

Delivered to the Governor for his approval at 3:55 p.m., 3/18/91: HB 148, HB 156, HB 177, HB 221.

LOCAL GOVERNMENT (Wyatt, Chairman):

3/19/91

SB 107, third reading copy, be amended as follows:

1. Title, line 4.

Strike: "ALLOWING"

Insert: "REVISING THE AMOUNT OF MONEY"

2. Title, line 5.

Strike: "TO"

Insert: "MAY"

Strike: "\$10,000"

3. Page 1, lines 16 and 17.

Strike: "the" on line 16 through "less" on line 17

Insert: "an amount necessary to fund the study, not to exceed 1 mill"

And, as amended, be concurred in. Report adopted.

SB 440, third reading copy, be amended as follows:

1. Page 2, line 9.

Following: "."

Insert: "The board of trustees must consist of at least three members and no more than nine members, and the members of the board must be residents of the county."

2. Page 2, line 19.

Following: " _ "

Insert: "The park board must consist of at least three members and no more than nine members, and the members of the board must be residents of the county."

3. Page 3, line 14.

Following: " _ "

Insert: "The fair commission must consist of at least three members and no more than nine members, and the members of the board must be residents of the county."

4. Page 4, line 3.

Following: " _ "

Insert: "The board must consist of at least three members and no more than nine members, and the members of the board must be residents of the district. A majority of the board members must be rural agricultural land owners."

5. Page 4, line 22.

Following: "."

Insert: "The board must consist of at least three members and no more than nine members, and the members of the board must be residents of the district."

6. Page 5, line 20.

Following: " _ "

Insert: "The board must consist of at least three members and no more than nine members, and the members of the board must be residents of the district."

And, as amended, be concurred in. Report adopted.

ADVERSE COMMITTEE REPORT

SB 121 - Representative Stang moved the 3/18/91 adverse committee report on SB 121 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 82

Noes: Daily, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Grinde, Hayne, Mercer, Pavlovich, Swysgood, Thoft, Wallin, Zook.
Total 15

Excused: Keller.
Total 1

Absent or not voting: Cobb, Kadas.
Total 2

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/18/91

HB 107, introduced by J. Johnson
HB 193, introduced by Toole
HB 230, introduced by Larson
HB 236, introduced by Gilbert
HB 237, introduced by Ellison
HB 341, introduced by Bradley
HB 347, introduced by Gervais
HB 420, introduced by J. Rice
HB 422, introduced by Hoffman
HB 507, introduced by Cobb
HB 515, introduced by Lee
HB 587, introduced by R. Johnson
HB 654, introduced by Ellis
HB 794, introduced by McCulloch
HB 812, introduced by Wanzenried

HB 918, introduced by Southworth

HB 920, introduced by Darko

HB 922, introduced by Darko

HJR 18, introduced by Harrington

HJR 34, introduced by Stickney

House bills concurred in as amended and returned to the House for
concurrence in Senate amendments: 3/18/91

HB 29, introduced by Kimberley

HB 111, introduced by Cody

HB 161, introduced by Gilbert

HB 356, introduced by G. Beck

HB 431, introduced by Schye

HB 712, introduced by Squires

HB 758, introduced by Barnhart

HB 829, introduced by Phillips

HB 938, introduced by R. Johnson

HJR 29, introduced by Squires

House bills not concurred in and returned to the House: 3/16/91

HB 212, introduced by Cohen

HB 428, introduced by Gould

House amendments to Senate bills concurred in: 3/18/91

SB 86, introduced by Eck

SB 97, introduced by T. Beck

SB 108, introduced by Bengtson

SB 152, introduced by Towe

SB 170, introduced by Vaughn

SB 194, introduced by Towe

SB 364, introduced by Vaughn

Conference committee report #1 on Senate amendments to HB 113
adopted: 3/18/91

Conference committee report #1 on House amendments to SB 66
adopted: 3/18/91

Governor's amendments concurred in and transmitted to the House for
concurrence: 3/18/91

SB 38, introduced by Halligan

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

March 19, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 54, 58, 288, 367, 480 and 599 on March 19, 1991.

Sincerely,

STAN STEPHENS
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 1000, introduced by Cohen, referred to Committee on Taxation

HJR 46, introduced by Bachini, Hockett, Jergeson, Hammond, Peck, R. DeBruycker, Bergsagel, Bardanouve, Schye, referred to Committee on Education and Cultural Resources

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker! We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 568 - Representative J. Rice moved HB 568 do pass.

Representative J. Rice made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative J. Rice moved HB 568, second reading copy, be amended (amendment #1). Amendment #1 failed as follows: (20-77)

Thereupon, HB 568 passed as follows:

Ayes: Bardanouve, Barnhart, Becker, Bradley, J. Brown, Clark, Cromley, Daily, Davis, J. DeBruycker, Dowell, Ellis, Fagg, Feland, Foster, Gervais, Gould, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Knox, Lee, Madison, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Ream, J. Rice, S. Rice, Russell, Schye, Spring, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen.

Total 51

Noes: Bachini, Barnett, Beck, Benedict, Bergsagel, Boharski, Brooke, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellison, Forrester, Galvin, Gilbert, Grady, Grinde,

Kasten, Kimberley, Larson, McCaffree, McCarthy, Measure, Menahan, O'Keefe, Peck, Phillips, Quilici, Raney, Scott, Simpkins, Southworth, Squires, Stepler, Swysgood, Thoft, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 47

Excused: Keller.

Total 1

Absent or not voting: S. J. Hansen.

Total 1

HB 901 - Representative Bardanouve moved HB 901 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: R. DeBruycker.

Total 1

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

HB 974 - Representative Peck moved HB 974 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen,
Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Barnett.
Total 1

Excused: Keller.
Total 1

Absent or not voting: Strizich.
Total 1

SB 252 - Representative Gilbert moved SB 252 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bachini, Barnett, Bergsagel, Cobb, Forrester, McCaffree, O'Keefe, Steppler.
Total 8

Excused: Keller.
Total 1

Absent or not voting: S. J. Hansen, Kadas.
Total 2

SB 306 - Representative Messmore moved SB 306 be concurred in. Motion carried as follows:

Ayes: Barnhart, Becker, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dowell, Fagg, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kilpatrick, Knox, Larson, Lee, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Spring, Squires, Stickney, Thoft, Tunby, Wallin, Wanzenried, Wyatt.
Total 52

Noes: Bachini, Bardanouve, Barnett, Beck, Benedict, Bergsagel, Cobb, Cody, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, J. Johnson, Kasten, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, Peck, Phillips, Russell, Scott, Simpkins, Southworth, Stang, Stepler, Strizich, Swysgood, Thomas, Whalen, Zook, Mr. Speaker.

Total 44

Excused: Keller.

Total 1

Absent or not voting: D. Brown, Kadas, Toole.

Total 3

SB 408 - Representative Messmore moved SB 408 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Cody, Forrester, Measure, Scott, Wyatt.

Total 6

Excused: Keller.

Total 1

Absent or not voting: Ream.

Total 1

HB 413 - Representative Connelly moved Senate amendments to HB 413 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires,

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Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Feland, S. J. Hansen.
Total 3

Excused: Keller.
Total 1

Absent or not voting: Grinde, Mercer.
Total 2

SB 348 - Representative Cromley moved SB 348 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Keller.
Total 1

Absent or not voting: Grinde.
Total 1

SB 387 - Representative Measure moved SB 387, third reading copy, be amended as follows (amendment #1):

1. Amend the House Standing Committee on Judiciary report dated 15 March, 1991 as follows:
Strike: Amendment #2

2. Page 2, line 10.

Following: "subsection:"

Insert: "No later than 48 hours prior to the termination of the tenancy, the landlord shall give the tenant written notice of the total sum the landlord intends to deduct from the security deposit, with an explanation of the reasons for the intended deduction. The landlord

shall give notice to the tenant and provide any further explanation regarding damages. The notice must include the specific types of cleaning that must be done and the repairs that must be made by the tenant to bring the premises back to its condition at the time of renting. After delivery of the notice, the tenant has 48 hours to complete or arrange for the desired cleaning or repairs. A deduction may not be made from the security deposit if the landlord fails to comply with this subsection."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Benedict, Cobb, R. DeBruycker, Fagg, Hayne, Messmore, Stang, Stepler, Thomas, Wallin.
Total 10

Excused: Keller.
Total 1

Absent or not voting: D. Brown, McCarthy, Menahan.
Total 3

Representative R. Johnson moved SB 387, as amended, be concurred in.
Motion failed as follows:

Ayes: Bardanouve, Barnhart, Becker, Benedict, Bradley, Brooke, Clark, Cody, Cohen, Darko, J. DeBruycker, Dowell, Elliott, Gervais, M. Hanson, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Larson, Lee, Madison, McCulloch, Measure, Ream, Russell, Schye, Southworth, Squires, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wanzenried, Zook, Mr. Speaker.
Total 39

Noes: Bachini, Barnett, Beck, Bergsagel, Boharski, D. Brown, J. Brown, Cobb, Cocchiarella, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, Kasten, Kimberley, Knox, McCaffree, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck,

Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Scott, Simpkins, Spring, Stang, Steppler, Strizich, Wallin, Whalen, Wyatt.
Total 60

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 441 - Representative Toole moved SB 441 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Barnett, Bergsagel, Cobb, R. DeBruycker, Grinde, Hayne, Peterson, Phillips, Spring, Steppler.
Total 10

Excused: Keller.
Total 1

Absent or not voting: Ellison, Gilbert.
Total 2

HB 333 - Representative Brooke moved consideration of Senate amendments to HB 333 be passed for the day. Motion carried.

HB 379 - Representative Brooke moved Senate amendments to HB 379 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich,

Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bachini, Benedict, Boharski, Clark, Cromley, Daily, R. DeBruycker, Foster, M. Hanson, McCaffree, Pavlovich, Peck, Peterson, Phillips, Simpkins, Stepler.

Total 16

Excused: Keller.

Total 1

Absent or not voting: Grinde, Kadas.

Total 2

HB 429 - Representative Kasten moved Senate amendments to HB 429 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: R. DeBruycker, Stepler.

Total 2

Excused: Keller.

Total 1

Absent or not voting: Bardanouve, Kadas.

Total 2

Representative Grinde in the Chair at this time.

HB 863 - Representative D. Brown moved Senate amendments to HB 863 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison,

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McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bachini, J. DeBruycker.

Total 2

Excused: Keller.

Total 1

Absent or not voting: Peterson, Thoft.

Total 2

HB 861 - Representative Swysgood moved HB 861, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 17.

Following: "[c]"

Insert: "up to"

2. Page 2, line 20.

Following: "centers"

Insert: ", which shall not exceed four million dollars in cost"

Amendment #1 passed as follows:

Ayes: Barnett, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Clark, Knox, Wallin.

Total 3

Excused: Keller.

Total 1

Absent or not voting: Bachini, Bardanouve, Barnhart, Beck, Bergsagel, Bradley, Gervais, Gilbert, Larson, McCaffree, O'Keefe, Strizich, Toole.

Total 13

Representative Swysgood moved HB 861, second reading copy, be further amended as follows (amendment #2):

1. Page 4, line 11.

Following: line 10

Insert: "(6) Tax proceeds generated under [this act] are to be distributed and expended for the purposes expressly provided for in section 15-65-121. The use of these tax proceeds for the purpose of paying for the operational or maintenance expense of any visitor center if expressly prohibited."

Amendment #2 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Bachini, Hayne, Kasten, Peck, Stang.
Total 5

Excused: Keller.
Total 1

Absent or not voting: Grinde, Kadas.
Total 2

Representative Swysgood moved HB 861, as amended, do pass. Motion failed as follows:

Ayes: Becker, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Daily, R. DeBruycker, Driscoll, Feland, Forrester, Foster, Galvin, Gould, Grady, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Madison, McCaffree, McCulloch, Menahan, Mercer, Peterson, Phillips, Ream, S. Rice, Russell, Scott, Southworth, Stang, Stepler, Stickney, Swysgood, Thoft, Toole, Wyatt, Zook.
Total 42

Noes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Connelly, Cromley, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Gervais, Gilbert, Grinde, H. S. Hanson, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, Measure, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, Schye,

Simpkins, Spring, Squires, Strizich, Thomas, Tunby, Wallin, Wanzenried,
Mr. Speaker.
Total 56

Excused: Keller.
Total 1

Absent or not voting: Whalen.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved the adoption of the committee report. Report adopted. (80-18)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 251 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Keller.
Total 1

Absent or not voting: Boharski, Feland.
Total 2

HB 877 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington,

Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Bergsagel, Cobb, R. DeBruycker, Hayne, Kasten, Steppler.
Total 6

Excused: Keller.
Total 1

Absent or not voting: Boharski, Ellis, Ellison, Peterson.
Total 4

HB 883 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Cody, Dowell, Southworth, Spring.
Total 4

Excused: Keller.
Total 1

Absent or not voting: Boharski.
Total 1

HB 953 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson,

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Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 85

Noes: Bergsagel, Cohen, Elliott, Gilbert, Grinde, Larson, Lee, Swysgood, Zook.
Total 9

Excused: Keller.
Total 1

Absent or not voting: Benedict, Boharski, Grady, Harrington, Spring.
Total 5

SB 132 concurred in as follows:

Ayes: Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kimberley, Knox, Larson, Madison, McCaffree, McCulloch, Measure, Messmore, L. Nelson, Pavlovich, Phillips, Quilici, Ream, J. Rice, S. Rice, Simpkins, Spring, Squires, Stang, Stepler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 64

Noes: Bachini, Becker, Cocchiarella, Cody, Cohen, Connelly, Darko, Dolezal, Dowell, Fagg, S. J. Hansen, Hayne, Kadas, Kilpatrick, Lee, McCarthy, Menahan, Mercer, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Russell, Schye, Scott, Southworth, Stickney, Strizich, Whalen, Wyatt, Zook.
Total 33

Excused: Keller.
Total 1

Absent or not voting: Barnhart, Kasten.
Total 2

SB 136 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,

Spring, Squires, Stang, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 84

Noes: Barnett, Benedict, Bergsagel, Cobb, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Hayne, Kasten, L. Nelson, Stepler, Swysgood, Zook.

Total 14

Excused: Keller.

Total 1

Absent or not voting: Connelly.

Total 1

SB 225 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cody, Cohen, Nisbet, Peck.

Total 4

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

SB 239 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Stickney,

Strizich, Swysgood, Thoft, Thomas, Toole, Wallin, Wanzenried, Wyatt, Zook,
Mr. Speaker.
Total 89

Noes: Barnett, Cobb, Feland, Hayne, Kasten, Simpkins, Southworth,
Steppler, Tunby, Whalen.
Total 10

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 250 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict,
Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,
Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J.
DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison,
Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S.
J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J.
Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson,
Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer,
Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson,
Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott,
Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood,
Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr.
Speaker.
Total 95

Noes: Galvin, McCaffree, Southworth, Wyatt.
Total 4

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 265 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel,
Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody,
Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal,
Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster,
Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M.
Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick,
Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch,
Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet,
O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice,
Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang,

Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bachini, Beck, Cobb, J. DeBruycker, Grinde, Hayne, Kasten, Peck, Swysgood, Thoft, Tunby.

Total 11

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

SB 291 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Kimberley, Knox, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Spring, Squires, Stang, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.

Total 74

Noes: Barnett, Beck, Becker, Boharski, Cobb, Cromley, Davis, J. DeBruycker, Galvin, S. J. Hansen, J. Johnson, Kilpatrick, Larson, McCaffree, L. Nelson, Peck, Peterson, Russell, Simpkins, Southworth, Steppler, Stickney, Whalen, Mr. Speaker.

Total 24

Excused: Keller.

Total 1

Absent or not voting: Mercer.

Total 1

SB 307 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires,

Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 91

Noes: Bergsagel, R. DeBruycker, Forrester, S. J. Hansen, Spring, Steppler, Whalen, Zook.
Total 8

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 323 concurred in as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Boharski, Clark, S. J. Hansen, Peck.
Total 5

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 327 concurred in as follows:

Ayes: Bardanoue, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cody, Connelly, Cromley, Daily, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Simpkins, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 79

Noes: Bachini, Barnhart, Brooke, Cobb, Cocchiarella, Cohen, Darko, Davis, J. DeBruycker, Dolezal, Feland, Kilpatrick, Measure, L. Nelson, Russell, Scott, Southworth, Squires, Whalen, Wyatt.
Total 20

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 298 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

SB 437 - Representative Driscoll moved consideration of SB 437 be passed for the day. Motion carried.

MOTIONS

Representative Driscoll moved SB 437 be taken from third reading and placed on second reading. Motion carried.

Representative Driscoll moved the rules be suspended to permit the late drafting and introduction of a bill. Motion carried.

Representative Bachini moved he be allowed to change his vote on HB 974, second reading, from no to yes. Motion carried.

Representative Messmore moved she be allowed to change her vote on amendment #2 to HB 861, second reading, from no to yes. Motion carried.

Representative Measure moved he be allowed to change his vote on HB 861, second reading, from yes to no. Motion carried.

Representative Beck moved the rules be suspended to allow him to be recorded as voting yes on HB 953, third reading. Motion carried.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman): 3/19/91
HB 418, introduced bill, do pass. Report adopted.

JUDICIARY (Strizich, Chairman): 3/19/91
HB 903, introduced bill, be amended as follows:

1. Page 4.

Following: line 21

Insert: "NEW SECTION. Section 8. Coordination instruction.

(1) If House Bill No. 579 is passed and approved, then [section 1 of this act] is replaced with the following section:

"NEW SECTION Section 1. Unified county motor vehicle computer/court automation fee.

(1) A unified county motor vehicle computer fee/special court automation fee of \$1 must be assessed on the annual registration or reregistration of or payment of a fee in lieu of tax on the following:

(a) motor vehicles subject to registration or reregistration under Title 61, chapter 3;

(b) boats subject to the fee in lieu of tax under Title 23, chapter 2, part 5;

(c) snowmobiles subject to registration or reregistration under Title 23, chapter 2, part 6; and

(d) off-highway vehicles subject to the fee in lieu of tax under Title 23, chapter 2, part 8.

(2) The fee must be collected by the county treasurer and forwarded to the state treasurer for deposit in the county motor vehicle computer fund established in [section 12 of House Bill No. 579] and the court automation account established in [section 2 of this act], as follows:

(a) In fiscal year 1992, 75 cents of the fee is allocated to the county motor vehicle computer fund and 25 cents of the fee is allocated to the court automation account.

(b) In fiscal year 1993, 50 cents of the fee is allocated to the county motor vehicle computer fund and 50 cents of the fee is allocated to the court automation account.

(c) After fiscal year 1993, the entire fee is allocated to the court automation account."

(2) If House Bill No. 579 is passed and approved, then [section 11 of House Bill No. 579] is void and the reference to section 11 in [section 12 of House Bill No. 579] is changed to refer to [section 1 of this act].

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(3) If House Bill No. 579 is passed and approved, then [section 5 of this act] is void and the reference in [section 2 of this act] to 61-3-509 is changed to refer to [section 1 of this act].

(4) If House Bill No. 579 is passed and approved, then [section 6 of this act] is replaced with the following:

"NEW SECTION. Section 6. Appropriation. There are appropriated to the supreme court from the court automation account in the state special revenue fund the following amounts for court automation:

FY 1992	\$ 230,000
FY 1993	459,000""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 293, third reading copy, be concurred in. Report adopted. 3/15/91

SB 308, third reading copy, be concurred in. Report adopted. 3/19/91

STATE ADMINISTRATION (J. Brown, Chairman): 3/19/91

SB 192, third reading copy, be amended as follows:

1. Page 2, lines 17 and 18.

Strike: line 17 through "fund" on line 18

Insert: "allocated to the highway patrol officers' retirement system"

2. Page 5.

Following: line 2

Insert: "NEW SECTION. Section 3. Coordination instruction. If both House Bill No. 711 and [this act] are passed and approved, then 19-6-506(4) is amended to read:

"(4) Amounts deposited in the highway patrol officers' retirement fund under the provisions of 61-3-321(5) and not required to provide benefits under this section must be used for the supplemental benefits provided under [section 1 of House Bill No. 711]."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 222, third reading copy, be amended as follows:

1. Page 11.

Following: line 7

Insert: "NEW SECTION. Section 9. Coordination instruction. If House Bill No. 595 and [this act] are passed and approved, then the following amendments apply:

(1) The definition of "minimum retirement date" or "normal retirement date" under the provisions of 19-9-104 is amended to read as follows:

"(15) "Minimum retirement date" means the first day of the month coinciding with or immediately following, if none coincides,

March 19, 1991

the date on which a member both becomes age 50 and completes 10 years of qualified service."

(2) Section 19-9-104 is amended to include a new definition to read as follows and subsequent subsections are renumbered:

"(18) 'Normal retirement date' means the first day of the month coinciding with or immediately following, if none coincides, the date on which a member completes 20 or more years of qualified service and has terminated employment as a police officer."

(3) Section 19-9-801, MCA, is amended to read:

"19-9-801. Eligibility for service retirement -- commencement of allowance. Members are eligible for retirement and shall retire as provided in this section:

(1) A member employed by an employer as a police officer is eligible to receive a service retirement allowance when he has completed 20 years or more of qualified service and has terminated covered employment.

(2) A member who terminates employment as a police officer with an employer after completing at least 10 years of qualified service but prior to completing 20 years of qualified service is eligible to receive a service retirement allowance when he has reached 50 years of age.

(3) (a) Except as provided in subsection (3)(b), the retirement allowance may commence on the first day of the month following the member's minimum retirement date or, if requested by the terminated member in writing, on the first day of the month following receipt of the written application.

(b) The retirement allowance for an eligible terminated member must commence no later than the first day of the month following the member's 55th birthday."

(4) All references to subsections of 19-9-801 must be stricken from sections 19-9-802, 19-9-804, and 19-9-903."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 243, third reading copy, be concurred in. Report adopted.

SB 251, third reading copy, be amended as follows:

1. Page 3, line 17.

Following: "determination"

Insert: "."

Strike: "in"

2. Page 3, lines 19 and 20.

Strike: "accordance with 2-4-704"

Insert: "The district court is not limited by the scope of review set forth in 2-4-704 and may hold a new hearing"

And, as amended, be concurred in. Report adopted.

SB 264, third reading copy, be amended as follows:

1. Page 2, line 14.

Following: "."

Insert: "The office of the commissioner of higher education shall pay for the determination, required by this section, of past service liability of teachers' retirement system members compared to contributions required of the Montana university system."

And, as amended, be concurred in. Report adopted.

SJR 19, third reading copy, be concurred in. Report adopted.

TAXATION (Harrington, Chairman):

3/19/91

HB 617, introduced bill, be amended as follows:

1. Page 2, line 24.

Following: "chapters"

Insert: "30,"

2. Page 3, line 2.

Following: "including the"

Insert: "type, income class, and"

3. Page 4, line 11.

Following: "chapters"

Insert: "30,"

And, as amended, do pass. Report adopted.

HB 677, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Strike: "; PROVIDING THAT THE LEVY IN SUPPORT OF COUNTY LITERACY PROGRAMS IS NOT"

Insert: "THAT GIVE FIRST PRIORITY TO PROVIDING DIRECT INSTRUCTION TO ADULTS, WHICH LEVY IS"

2. Title, lines 8 and 9.

Strike: "AND" on line 8 through "MCA" on line 9

Insert: "PROVIDING FOR THE ADMINISTRATION OF A COUNTY ADULT LITERACY FUND BY A COUNTY ADULT LITERACY BOARD; AND ESTABLISHING CONDITIONS FOR THE USE OF COUNTY LITERACY FUNDS"

3. Page 1, lines 12 and 13.

Strike: "Authorization" on line 12

Insert: "County adult literacy programs -- authorization"

Strike: "for county literacy programs" on line 13

Following: "(1)"

Insert: "(a)"

4. Page 1, line 17.

Following: "programs"

Insert: "that give first priority to providing direct instruction to adults"

5. Page 1, line 19.

Strike: "(2)"

Insert: "(b)"

6. Page 1, lines 19 and 20.

Strike: "governing body may, by resolution, make expenditures from the"

7. Page 1, line 20.

Strike: "solely"

Insert: "may be used only"

8. Page 1, line 21.

Following: line 20

Insert: "adult"

9. Page 1.

Following: line 21

Insert: "(2) (a) If a county levies a property tax for adult literacy programs, the county governing body shall appoint a county adult literacy board to administer the expenditure of funds from the county adult literacy fund established in subsection (1).

(b) The county adult literacy board shall coordinate all adult literacy programs receiving county adult literacy funds. The board may adopt policies concerning program standards and financial accountability for organizations receiving adult literacy funds. The board may require that adult literacy programs match adult literacy funds with federal, state, or private money. The board may, with the concurrence of the appropriate county officials, arrange for county in-kind services to support adult literacy programs.

(c) County adult literacy funding may be expended only on literacy programs for persons who are at least 19 years of age and whose high school class has graduated."

10. Page 1, line 22 through page 8, line 17.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

HB 701, introduced bill, be amended as follows:

1. Page 2, line 11.

Strike: "A"

Insert: "The buildings, facilities, or equipment installed under a"

2. Page 2, line 17.

Strike: "shall approve"

Insert: "must have approved"

3. Page 2, line 19.

Strike: "shall approve"

Insert: "must have approved"

4. Page 2, line 20.

Following: "hearing."

Insert: "The governing body of each affected local government must be notified in writing of the buildings, facilities, and equipment proposed to be exempt from taxation and the value of the buildings, facilities, and equipment. A tax exemption may not be granted under this section unless it is approved by every local government that would be affected by the project."

5. Page 2, line 23.

Following: ", the"

Insert: "buildings, facilities, or equipment installed under the"

6. Page 2, line 24.

Strike: "all"

Insert: "the specified percentage of"

Following: "taxes"

Insert: "as approved by the governing bodies. The percentage amount may be any amount up to 100%, but it must be the same for all state and local property taxes"

7. Page 3, line 5.

Following: "(5)"

Insert: "The department shall, in writing, notify the department of revenue's agent in the county or counties in which the project is located of the date the final approval for the tax exemption of the property was granted under this section and shall specifically identify each piece of real or personal property subject to the tax exemption."

8. Page 3, line 7.

Following: "first."

Insert: "The tax exemption begins on January 1 of the year after the department of revenue receives notification of the final approval under this section. The department shall, in writing, notify the department of revenue's agent in the county or counties in which the project is located when the exemption has expired."

9. Page 4, line 4.

Following: "shall"

Insert: "from time to time"

10. Page 4, line 13.

Strike: "and interest"

11. Page 6, line 1.

Strike: "and interest"

12. Page 6, line 21.

Strike: the second "commercial"

13. Page 6, line 22.

Strike: "capitalization"

Insert: "commercialization"

14. Page 7, line 11.

Following: "loan"

Insert: "in an amount up to \$25 million"

And, as amended, do pass. Report adopted.

HB 976, introduced bill, do pass. Report adopted.

SB 238, third reading copy, be concurred in. Report adopted.

SB 262, third reading copy, be concurred in. Report adopted.

SB 263, third reading copy, be concurred in. Report adopted.

SB 278, third reading copy, be concurred in and be placed on the consent calendar. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

March 19, 1991

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to House Bill 256, "AN ACT TO CHANGE THE CRITERIA FOR QUALIFYING WAGES USED TO DETERMINE ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS; TO CHANGE THE FORMULA USED TO CALCULATE THE AMOUNT OF WEEKLY UNEMPLOYMENT INSURANCE BENEFITS; AMENDING SECTIONS 39-51-2105, 39-51-2201, AND 39-51-2204, MCA; AND PROVIDING AN EFFECTIVE DATE." This amendatory veto is made for the following reasons.

Presently, Montana requires twenty "weeks of work" as the primary means of qualifying for unemployment benefits. The Department of Labor and Industry had found a significant percentage of claims filed contain employer errors on the weeks of work reported for each claimant. The result has been an unacceptably large number of claims either underpaid, overpaid or denied.

This legislation would have determined eligibility in Section 39-51-2105, MCA, by using the amount of wages earned and the quarters in which they were earned, thus reducing those errors.

As introduced, and with the information available to the Department at that time, the legislation was intended to be substantially revenue neutral. The intent was to achieve the simplified "weeks of work" calculation for determining weekly unemployment insurance benefit amounts. Although the legislation is essentially neutral in terms of eligibility to draw benefits, the mix of claimants that would become eligible have slightly higher average weekly benefits (1.935%) than those that would become ineligible. This matter was brought to the attention of the legislature early on.

The legislation would have in excess of \$800,000 annual fiscal effect on the Unemployment Insurance Trust Fund. Unemployment benefits are dictated in part by economic factors outside of the Department's control.

My amendment would preserve as near as possible the fiscal neutrality of the effect of making this bill work. Based on the most current information available from the Department, this amendment would not reduce unemployment benefits or increase costs to the employer. It would assist claimants and employers in complying with the law as was the original intent.

I urge your concurrence with these amendments.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 256
(REFERENCE COPY, AS AMENDED)
MARCH 19, 1991

1. Page 2, line 22
Strike: "1.9%"
Insert: "1.85%"

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 1001, introduced by J. DeBruycker, referred to Committee on Taxation
HB 1002, introduced by Ellison, Harper, Spring, R. DeBruycker, Strizich, J. Johnson, referred to Committee on Fish and Game

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Wednesday, March 20, 1991. Motion carried.

House adjourned at 3:20 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTIETH LEGISLATIVE DAY

Helena, Montana
March 20, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Reverend Fred Chilton. Pledge of Allegiance to the Flag.

Roll call. All members present except Keller, Quilici, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 3/20/91

Correctly printed: HB 418, HB 617, HB 677, HB 701, HB 903, HB 976.

Correctly engrossed: HB 568, HB 901, HB 974, SB 252, SB 306, SB 348, SB 408, SB 441.

Correctly enrolled: HB 109, HB 123, HB 137, HB 167, HB 197, HB 211, HB 269, HB 270, HB 297, HB 307, HB 313, HB 348, HB 392, HB 411, HB 610, HB 779, HB 941, HJR 41.

Examined by the sponsor and found to be correct:

HB 109 - Brooke

HB 123 - Hansen

HB 137 - Harrington

HB 167 - McCulloch

HB 197 - Boharski

HB 211 - Bradley

HB 269 - Cocchiarella

HB 270 - Cocchiarella

HB 297 - Spring

HB 313 - McCaffree

HB 348 - Gervais

HB 411 - Kadas

HB 610 - Bradley

HB 779 - Cromley

HB 941 - Benedict

HJR 41 - L. Nelson

Signed by the Speaker at 8:20 a.m., 3/20/91: HB 149, HJR 12, HJR 22, SB 160, SB 200, SB 206, SB 290, SB 444, SJR 12, SJR 14.

Signed by the Speaker at 10:45 a.m., 3/20/91: HB 158, HB 182, HB 217, HB 227, HB 262, HB 266, HB 648, HB 682, HB 725, HB 756, HB 769, HB 854, SB 399.

AGRICULTURE, LIVESTOCK, AND IRRIGATION (L. Nelson, Chairman):

3/19/91

SB 19, third reading copy, be amended as follows:

1. Title, lines 4 and 5.

Following: "TO" on line 4

Strike: "CLARIFY THAT TITLE TO"

Insert: "REQUIRE THAT CONTRACTS FOR"

2. Title, lines 5 through 7.

Following: "CONTRACT" on line 5

Strike: remainder of line 5 through "CONTRACT" on line 7

Insert: "CONTAIN A NOTICE OF FINANCIAL RISK IN A FORM
ESTABLISHED BY DEPARTMENT OF AGRICULTURE RULE"

3. Title, lines 7 and 8.

Following: "AMENDING" on line 7

Strike: "SECTIONS 30-2-401 AND"

Insert: "SECTION"

4. Title, line 8.

Strike: "IMMEDIATE"

5. Page 1, line 10.

Insert: "STATEMENT OF INTENT"

A statement of intent is required for this bill because 80-4-422(2)(f) requires the department of agriculture to adopt rules regarding the form of a notice of financial risk required to appear on credit sale contracts for the sale of agricultural commodities. It is intended that the warning appear on the face of the contract, in boldface type, and be in substantially the following form:

NOTICE TO SELLER OF FINANCIAL RISK

The seller recognizes that in the event of foreclosure or bankruptcy, this contract is equivalent to an unsecured loan to the purchaser. The seller and any of the seller's creditors should be advised of the financial risks involved in this contract."

6. Page 1, line 25.

Strike: "and"

7. Page 2, line 1.

Following: "made"

Insert: "; and"

(f) a notice of financial risk involved in the credit sale contract, in a form the department shall adopt pursuant to the rulemaking authority provided in 80-4-403"

8. Page 2, lines 2 and 3.

Strike: "{a}" on line 2

Following: "Title" on line 2

Strike: remainder of line 2 through "title" on line 3

Insert: "Title"

Following: "aH" on line 3

Insert: "all"

9. Page 2, line 21 through page 3, line 3.

Strike: subsection (b) in its entirety

10. Page 3, line 4 through page 5, line 19.

Strike: section 2 in its entirety

Renumber: subsequent section.

11. Page 5, lines 21 and 22.

Following: "effective" on line 21

Strike: remainder of line 21 through "approval" on line 22

Insert: "July 1, 1991,"

12. Page 5, line 22.

Following: "contracts"

Insert: "for agricultural commodities"

13. Page 5, line 23.

Strike: "[the effective date of this act]"

Insert: "July 1, 1991"

And, as amended, be concurred in. Report adopted.

SB 368, third reading copy, be amended as follows:

1. Page 3, line 16.

Following: "BY"

Insert: "the department or"

And, as amended, be concurred in. Report adopted.

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

3/19/91

SB 330, third reading copy, be concurred in. Report adopted.

SB 363, third reading copy, be concurred in. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 3/20/91

SB 84, third reading copy, be concurred in. Report adopted.

SB 320, third reading copy, be concurred in. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman):

3/20/91

HB 661, introduced bill, be amended as follows:

1. Title, line 7.

Following: "FUND"

Insert: "AND ADJUSTING EMPLOYER AND EMPLOYEE CONTRIBUTIONS"

2. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "17-7-502,"

Insert: "19-3-701, AND 19-3-801,"

3. Page 2, line 2.

Following: "contribute"

Insert: "from the general fund"

4. Page 2, line 3.

Strike: "2.91%"

Insert: "0.53%"

5. Page 3.

Following: line 24

Insert: "Section 4. Section 19-3-701, MCA, is amended to read:

"19-3-701. Member's contribution to be deducted.

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(1) On and before June 30, 1989, the normal contribution of each member is 6% of his compensation. The normal contribution of each member increases to:

- (a) 6.15% of his compensation on July 1, 1989;
- (b) 6.30% of his compensation on July 1, 1990;
- (c) ~~6.417%~~ 7.607% of his compensation on July 1, 1991;
- (d) ~~6.55%~~ 7.74% of his compensation on July 1, 1992; and
- (e) ~~6.70%~~ 7.89% of his compensation on July 1, 1993.

(2) Payment of salaries or wages less the contribution shall be full and complete discharge and acquittance of all claims and demands whatsoever for the service rendered by members during the period covered by the payment, except their claims to the benefits to which they may be entitled under the provisions of this chapter.

(3) Each employer, pursuant to section 414(h)(2) of the federal Internal Revenue Code of 1954, as amended and applicable on July 1, 1985, shall pick up and pay the contributions which would be payable by the member under subsection (1) for service rendered after June 30, 1985.

(4) The member's contributions picked up by the employer must be designated for all purposes of the retirement system as the member's contributions, except for the determination of a tax upon a distribution from the retirement system. These contributions must become part of the member's accumulated contributions but must be accounted for separately from those previously accumulated.

(5) The member's contributions picked up by the employer must be payable from the same source as is used to pay compensation to the member and must be included in the member's wages as defined in 19-1-102 and his compensation as defined in 19-3-104. The employer shall deduct from the member's compensation an amount equal to the amount of the member's contributions picked up by the employer and remit the total of the contributions to the board."

Section 5. Section 19-3-801, MCA, is amended to read:

"19-3-801. Employer contribution rates -- actuarial determination. (1) Each employer shall contribute to the cost of benefits under the system. The amount of the employer contributions shall be computed by applying to member's compensation the sum of the current service contribution rate and the unfunded liability contribution rate. The sum of these rates is ~~6.417%~~ 7.607% from July 1, 1983, to June 30, 1992. The sum of the rates increases to ~~6.55%~~ 7.74% on July 1, 1992, and to ~~6.70%~~ 7.89% on July 1, 1993.

(2) The actuary shall determine the current service contribution rate to be that level percentage of the present value of the future compensation of the average new member entering the system which equals the then present value of the excess of all prospective benefits in respect of such member over the member's own normal contributions.

(3) The actuary shall determine the minimum unfunded liability contribution rate to be that level percentage of the present

value of the prospective compensation of all members for the 40-year period following the date of the determination which is equal to the unfunded liability on that date. The unfunded liability at any time is the excess of the present value of all future benefits payable in respect of all persons then entitled to benefits under the system over the sum of the retirement fund and the present values of the future current service contributions and normal contributions payable in respect of all such persons.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 301, third reading copy, be amended as follows:

3/19/91

1. Title, line 4.

Following: "FORMER"

Insert: "STATE EMPLOYEES, ELECTED OFFICIALS, AND"

2. Page 3, line 2.

Following: "a"

Insert: "state employee, elected official, or"

3. Page 3, line 6.

Following: "the"

Insert: "state employee, elected official, or"

4. Page 3, line 7.

Following: "terminates"

Insert: "state"

Following: "service"

Strike: "in the legislature"

5. Page 3, line 11.

Strike: "end of his legislative term"

Insert: "last day of eligibility for state insurance"

6. Page 3, line 12.

Following: "former"

Insert: "state employee, elected official, or"

7. Page 3, line 20.

Following: "A"

Insert: "state employee, elected official, or"

8. Page 3, line 23.

Following: "a"

Insert: "state employee, elected official, or"

9. Page 4, line 1.

Following: "the"

Strike: "full premium"

Insert: "average cost to the plan for members eligible under this section"

10. Page 4, line 7.

Following: "to a"

Insert: "state employee, elected official, or"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/19/91

HB 462, introduced by Peck

HB 581, introduced by Strizich

House bills concurred in as amended and returned to the House for
concurrence in Senate amendments: 3/19/91

HB 391, introduced by Darko

HB 602, introduced by Driscoll

HB 625, introduced by L. Nelson

HB 691, introduced by Toole

MESSAGES FROM THE GOVERNOR

The Honorable Joseph P. Mazurek

March 19, 1991

President of the Senate

State Capitol

Helena, Montana 59620

The Honorable Hal Harper

Speaker of the House

State Capitol

Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 10, "AN ACT AUTHORIZING RURAL FIRE DISTRICTS AND FIRE SERVICE AREAS TO SELL BONDS TO PROVIDE FUNDS FOR THE PURCHASE AND MAINTENANCE OF FIRE AND EMERGENCY RESPONSE EQUIPMENT AND FACILITIES; ESTABLISHING RESPONSIBILITY FOR BONDED INDEBTEDNESS IF MUNICIPAL ANNEXATION OCCURS; AND AMENDING SECTIONS SECTION 7-33-2109 AND 7-33-2404, MCA." This amendatory veto is made for the following reasons.

Senate Bill 10 authorizes rural fire districts to borrow money by issuing bonds to purchase and maintain fire protection facilities and apparatus. However, the bill does not authorize rural fire districts to issue bonds for the purpose of purchasing emergency response apparatus. It is my understanding that the legislature intended this authority also be given to rural fire districts. This was inadvertently overlooked by the legislature. My

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proposed amendment will give effect to this intention. Sponsor Esther Bengtson concurs with this amendment.

I urge your concurrence as well.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 10
(REFERENCE COPY, AS AMENDED)
MARCH 19, 1991)

1. Page 2, line 7.

Following: "apparatus"

Insert: ", including emergency response apparatus,"

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Dowell in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 142 - Representative Grady moved SB 142 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Barnett, Bergsagel, Cobb, Darko, Gilbert, Grinde, Stang.

Total 7

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Hayne.

Total 1

SB 297 - Representative Hoffman moved SB 297 be concurred in. Motion carried as follows:

Ayes: Bardanoue, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Schye, Simpkins, Spring, Stang, Stepler, Stickney, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Bachini, Becker, Brooke, Cocchiarella, Cody, Cohen, Dolezal, Elliott, Gervais, S. J. Hansen, Lee, Measure, Nisbet, O'Keefe, Peck, Raney, Russell, Scott, Southworth, Squires, Strizich, Toole, Whalen.

Total 23

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Ellison.

Total 1

SB 319 - Representative McCulloch moved SB 319 be concurred in. Motion carried as follows:

Ayes: Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bachini, Cohen, Lee, Southworth.

Total 4

Voted Absentee: Quilici, Aye.

March 20, 1991

Excused: Keller.

Total 1

Absent or not voting: Ellison, Kadas.

Total 2

SB 321 - Representative Brooke moved SB 321, third reading copy, be amended as follows (amendment #1):

1. Title, line 14.

Strike: "IMMEDIATE"

2. Page 14, line 1.

Strike: "on passage and approval"

Insert: " July 1, 1991"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, Daily, Ellis, Ellison, Hayne, Pavlovich.

Total 6

Excused: Keller, Quilici.

Total 2

Absent or not voting: Stepler.

Total 1

Representative Brooke moved SB 321, as amended, be concurred in.
Motion carried as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth,

Spring, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bachini, Bardanouve, Bergsagel, Boharski, Ellis, Ellison, Gilbert, Grinde, M. Hanson, Hayne, Kasten, Knox, Peck, Swysgood.
Total 14

Voted Absentee: Quilici, Aye.

Excused: Keller.
Total 1

Absent or not voting: Stang.
Total 1

SB 322 - Representative Nisbet moved SB 322 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Gilbert.
Total 1

Voted Absentee: Quilici, Aye.

Excused: Keller.
Total 1

Absent or not voting: Stang.
Total 1

SB 329 - Representative Larson moved SB 329 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee,

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Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 71

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Cobb, Cody, Ellison, Forrester, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, J. Johnson, Kadas, Kasten, Mercer, L. Nelson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Wallin.
Total 26

Voted Absentee: Quilici, Aye.

Excused: Keller.
Total 1

Absent or not voting: Fagg, Zook.
Total 2

SB 356 - Representative Larson moved SB 356 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Russell, Schye, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 83

Noes: Bergsagel, Boharski, Cobb, Cody, J. DeBruycker, Grinde, Kasten, L. Nelson, Phillips, J. Rice, Scott, Simpkins, Thoft, Zook.
Total 14

Voted Absentee: Quilici, Aye.

Excused: Keller.
Total 1

Absent or not voting: Elliott, Ellis.
Total 2

SB 383 - Representative Wanzenried moved SB 383 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella,

Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bachini, Peck.

Total 2

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

SB 401 - Representative Larson moved SB 401 be concurred in. Motion failed as follows:

Ayes: Bachini, Bardanouve, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Davis, R. DeBruycker, Dowell, Elliott, Gould, Grady, Harrington, R. Johnson, Kadas, Kimberley, Larson, Madison, McCarthy, Measure, Peck, Phillips, Ream, S. Rice, Russell, Squires, Stickney, Toole, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 37

Noes: Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, Kasten, Kilpatrick, Knox, Lee, McCaffree, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Stang, Stepler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wyatt.

Total 61

Voted Absentee: Quilici, No.

Excused: Keller.

Total 1

Absent or not voting: Galvin.

Total 1

HB 386 - Representative Schye moved HB 386 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Elliott, Ellison, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Mr. Speaker.

Total 63

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Cobb, J. DeBruycker, R. DeBruycker, Driscoll, Ellis, Fagg, Feland, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Knox, Lee, McCaffree, McCulloch, Mercer, T. Nelson, Peck, Phillips, Scott, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Wallin, Wyatt, Zook.

Total 36

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

HB 547 - Representative M. Hanson moved HB 547 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Ellison.

Total 1

HB 907 - Representative Harrington moved consideration of HB 907 be passed for the day. Motion carried.

HB 312 - Representative Hoffman moved HB 312 do pass.

Representative Driscoll made a substitute motion to revert to the body of the bill for the purpose of amendment. Motion carried.

Representative Driscoll moved HB 312, second reading copy, be amended as follows (amendment #1):

1. Page 10, line 25 through page 11, line 11.

Strike: from "(2)" on page 10, line 25 through "spent." on page 11, line 11.

Renumber: subsequent subsection

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Keller, Quilici.

Total 2

Absent or not voting: None.

Total 0

Representative Hoffman moved HB 312, as amended, do pass.

Representative Wallin made a substitute motion that consideration of HB 312 be placed below SB 267 on the second reading board. Motion carried.

SB 1 - Representative Measure moved SB 1 be concurred in. Motion carried as follows:

Ayes: Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 74

Noes: Bachini, Barnett, Benedict, Bergsagel, Cobb, Cohen, R. DeBruycker, Ellison, Feland, Grinde, Hayne, Kasten, Peck, Peterson, Phillips, Simpkins, Stang, Swysgood, Thoft, Thomas, Zook.

Total 21

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Bardanouve, Kadas, S. Rice, Steppler.

Total 4

SB 243 - Representative Spring moved SB 243 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Forrester, Foster, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bachini, Barnett, Bergsagel, Cobb, Cody, Driscoll, Elliott, Ellison, Feland, Gilbert, Grinde, Peck, Scott, Stang, Steppler, Swysgood.

Total 16

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Galvin, Wallin.

Total 2

SB 267 - Representative Whalen moved SB 267 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 63

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peterson, Phillips, Simpkins, Stepler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 36

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

HB 312 - Representative Wallin moved HB 312, second reading copy, be further amended as follows (amendment #2):

1. Title, line 17.

Strike: "AND"

Insert: ", "

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

2. Page 21, line 19.

Following: line 18

Insert: "NEW SECTION. Section 17. Termination. [This act] terminates June 30, 1993."

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Gervais, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L.

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Nelson, O'Keefe, Pavlovich, Peck, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook.

Total 76

Noes: Boharski, Cobb, J. DeBruycker, Dolezal, Feland, Galvin, Gilbert, Gould, Grinde, McCaffree, Measure, T. Nelson, Nisbet, Peterson, Phillips, Scott, Swysgood, Thoft.

Total 18

Excused: Keller, Quilici, Mr. Speaker.

Total 3

Absent or not voting: Raney, Stang, Wanzenried.

Total 3

Representative Hoffman moved HB 312, as amended, do pass. Motion failed as follows:

Ayes: Bardanouve, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cohen, Connelly, Cromley, Daily, R. DeBruycker, Dolezal, Ellison, Forrester, Grady, Harrington, Hoffman, J. Johnson, Kadas, Madison, McCaffree, McCarthy, Measure, Messmore, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, J. Rice, S. Rice, Simpkins, Stickney, Strizich, Thomas, Toole, Wallin, Zook, Mr. Speaker.

Total 40

Noes: Bachini, Barnett, Barnhart, Beck, Benedict, Bergsagel, Boharski, Clark, Cocchiarella, Cody, Darko, Davis, J. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, McCulloch, Menahan, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Swysgood, Thoft, Tunby, Wanzenried, Whalen, Wyatt.

Total 59

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Dowell moved the adoption of the committee report. Report adopted. (86-10)

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 1003, introduced by McCarthy, D. Brown, Menahan, Strizich, Doherty, Daily, T. Beck, Lynch, referred to Committee on Appropriations

HB 1004, introduced by Dolezal, Halligan, Ream, Eck, Harper, Harrington, referred to Committee on Taxation

HB 1005, introduced by Connelly, Bardanouve, Thoft, Harding, Hockett (by request of the Long-Range Building Subcommittee), referred to Committee on Labor and Employment Relations

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 752 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Becker, Bergsagel, Boharski, Cobb, Feland, Gould, M. Hanson, Lee, Peterson, Stang.

Total 10

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Kasten.

Total 1

HB 966 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg,

Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb, Ellison, Feland, Hayne, Mercer, Peterson, Phillips.

Total 7

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Galvin.

Total 1

✓ **SB 252** concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 88

Noes: Bachini, Barnett, Bergsagel, Cobb, Forrester, S. J. Hansen, McCaffree, O'Keefe, Peck, Peterson, Stepler, Zook.

Total 12

Voted Absentee: Keller, Quilici, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 306 concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cohen, Connelly, Cromley, Daily, Darko, Davis, R.

DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Galvin, Gervais, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Simpkins, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt.

Total 68

Noes: Bachini, Benedict, Bergsagel, Cobb, Cocchiarella, Cody, J. DeBruycker, Ellison, Feland, Foster, Gilbert, Grinde, J. Johnson, Kasten, McCaffree, L. Nelson, Nisbet, Peck, Peterson, Phillips, Schye, Scott, Southworth, Stang, Stepler, Swysgood, Thoft, Zook, Mr. Speaker.

Total 29

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Bardanouve, S. J. Hansen.

Total 2

SB 348 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

SB 408 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Russell, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, Cody, Galvin, McCaffree, Menahan, Nisbet, Ream, Schye, Stepler, Wyatt.

Total 10

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

SB 441 concurred in as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Barnett, Bergsagel, R. DeBruycker, Ellison, Grinde, Hayne, Peterson, Stepler, Thomas.

Total 9

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: Bardanouve.

Total 1

HB 379, Senate amendments, concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Gervais, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Bachini, Benedict, Bergsagel, Boharski, Clark, Cromley, Daily, R. DeBruycker, Ellison, Feland, Foster, Galvin, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, McCaffree, Pavlovich, Peck, Peterson, Quilici, Simpkins, Stepler.

Total 24

Voted Absentee: Quilici, No.

Excused: Keller.

Total 1

Absent or not voting: Elliott.

Total 1

HB 413, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Boharski, T. Nelson.

Total 2

Voted Absentee: Quilici, Aye.

Excused: Keller.
Total 1

Absent or not voting: None.
Total 0

HB 429, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: R. DeBruycker, Feland, Stepler.
Total 3

Voted Absentee: Quilici, Aye.

Excused: Keller.
Total 1

Absent or not voting: S. Rice.
Total 1

HB 863, Senate amendments, concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Quilici, Aye.

Excused: Keller.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Driscoll moved HB 879 be taken from the Committee on Appropriations and rereferred to the Committee on Business and Economic Development. Motion carried.

Representative Driscoll moved HB 907 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

SPECIAL ORDERS OF THE DAY

Upon objection of Representatives Southworth, Forrester, and Beck, SB 278 was removed from the consent calendar and placed on second reading.

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

3/20/91

HB 987, introduced bill, be amended as follows:

1. Title, page 1, lines 9 through 11.

Following: "HOMES;" on line 9

Strike: remainder of line 9, line 10 in its entirety, and line 11 through
"LICENSURE;"

2. Title, page 1, lines 13 and 14.

Strike: "BED AND BREAKFASTS AND"

3. Title, page 1, line 15.

Following: "OF"

Insert: "A PORTION OF"

4. Title, page 2, line 1.

Title, page 2, line 6.

Strike: "BED AND BREAKFASTS,"

5. Page 3, line 16 through page 4, line 8.

Strike: subsections (1) through (3) in their entirety

Re-number: subsequent subsections

6. Page 4, line 15.

Page 5, lines 2 and 3.

Page 5, line 24.

Strike: "bed and breakfast,"

7. Page 6, line 16.

Strike: "\$50"

Insert: "\$40"

8. Page 6, line 19.

Strike: ", The balance"

Insert: ", 9% of the fees into the general fund, and 6%"

9. Page 6, line 20.

Strike: "must be deposited in"

Insert: "into"

10. Page 9, lines 21 and 22.

Strike: "Each day of violation constitutes a separate violation."

And, as amended, do pass. Report adopted.

HB 988, introduced bill, be amended as follows:

1. Title, line 11.

Following: "OF"

Insert: "A PORTION OF"

2. Page 3, line 10.

Strike: "\$50"

Insert: "\$40"

3. Page 3, line 14.

Strike: ", The balance"

Insert: ", 9% of the fees into the general fund, and 6%"

4. Page 3, line 15.

Strike: "must be deposited in"

Insert: "into"

5. Page 5, lines 24 and 25.

Strike: "Each day of violation constitutes a separate violation."

And, as amended, do pass. Report adopted.

HB 989, introduced bill, be amended as follows:

1. Title, line 9.

Following: "OF"

Insert: "A PORTION OF"

2. Page 4, line 13.

Following: "outlets"

Insert: ", but does not include a wine, beer, or soft drink warehouse that is
separate from facilities where brewing occurs"

3. Page 5, line 10.

Strike: "\$75"

Insert: "\$50"

4. Page 5, line 13.

Strike: "The balance"

Insert: ", 6% of the fees into the general fund, and 9%"

5. Page 5, lines 13 and 14.

Strike: "must be deposited in"

Insert: "into"

6. Page 8, lines 5 and 6.

Strike: "Each day of violation constitutes a separate violation."

And, as amended, do pass. Report adopted.

FISH AND GAME (Elliott, Chairman):

3/19/91

SB 449, third reading copy, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):

3/20/91

SB 87, third reading copy, be concurred in. Report adopted.

SB 198, third reading copy, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/20/91

SB 209, third reading copy, be amended as follows:

1. Page 2, line 21.

Following: "renewal"

Insert: "and a volume fee related to the estimated amount of solid waste to be disposed of each year. All solid waste systems must pay these fees in order to receive a license under 75-10-221. The initial volume fee may not exceed 31 cents per ton. For the purposes of estimating the volume for small solid waste management systems or for systems that choose not to weigh or measure the volume of waste managed, the following formulas are suggested:

Solid waste should be assumed to be generated at the following per capita rates:

<u>Population</u>	<u>Tons Per Year</u>
Greater than 5,000	1.04
1,000 - 5,000	0.59
Less than 1,000 and unincorporated areas	0.41

For the purpose of conversion between solid waste weight and volume, the following equivalents are suggested:

- (1) One uncompacted cubic yard equals 300 pounds; and
- (2) One compacted cubic yard equals 700 pounds."

2. Page 9, line 1.

Strike: "AND"

3. Page 9, line 8.

Strike: "\$8,000"

Insert: "\$3,500"

4. Page 9, line 11.

Strike: "~~\$6,000; AND~~"
Insert: "\$3,000;"

5. Page 9, line 13.

Strike: "~~\$4,000.~~"

Insert: "\$2,500; and

(c) a volume-based fee on solid waste disposal."

6. Page 12, line 21.

Strike: "~~SENATE~~"

Insert: "House"

And, as amended, be concurred in. Report adopted.

SB 266, third reading copy, be amended as follows:

1. Title, lines 16 and 17.

Following: "MCA;" on line 16

Strike: "REPEALING SECTION 85-2-317, MCA;"

2. Page 29, lines 11 and 12.

Strike: section 11 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 346, third reading copy, be concurred in. Report adopted.

SB 400, third reading copy, be amended as follows:

1. Title, line 7.

Following: "LIABLE;"

Insert: "CLARIFYING THE PROHIBITION AGAINST DUMPING SOLID WASTE ON PUBLIC PROPERTY;"

2. Page 1, line 19.

Following: "public"

Strike: "recreational"

3. Page 1, line 24.

Following: "public"

Strike: "recreational"

4. Page 2, lines 17 and 18.

Following: "~~exceed~~" on line 17

Strike: "~~\$1,000~~"

Insert: "\$5,000"

Following: " "

Strike: the remainder of lines 17 and 18

5. Page 2, line 24.

Following: "public"

Strike: "recreational"

And, as amended, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Thursday, March 21, 1991. Motion carried.

House adjourned at 3:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SIXTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 21, 1991

House Chambers
State Capitol

House convened at 1:05 p.m. Mr. Speaker in the Chair. Invocation by Representative Gould. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellison, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-sixth and fifty-seventh legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):

3/21/91

Correctly printed: HB 661, HB 987, HB 988, HB 989.

Correctly engrossed: HB 386, HB 547, SB 1, SB 142, SB 243, SB 267, SB 297, SB 319, SB 321, SB 322, SB 329, SB 356, SB 383.

Correctly enrolled: HB 63, HB 83, HB 87, HB 90, HB 99, HB 105, HB 118, HB 120, HB 153, HB 232, HB 274, HB 279, HB 286, HB 295, HB 296, HB 424, HB 436, HB 479, HB 537, HB 562, HB 663, HB 675, HB 774, HB 848, HB 902, HJR 7, HJR 33.

Examined by the sponsor and found to be correct:

HB 63 - Stang

HB 83 - Stang

HB 87 - Stang

HB 90 - Cobb

HB 99 - Stang

HB 105 - L. Nelson

HB 118 - J. Brown

HB 120 - Hayne

HB 153 - Ream

HB 166 - Keller

HB 193 - Toole

HB 232 - Clark

HB 274 - Strizich

HB 279 - Schye

HB 286 - Strizich

HB 295 - Benedict

HB 296 - Benedict

HB 307 - Quilici

HB 392 - Hoffman

HB 422 - Hoffman

HB 424 - Stickney

HB 436 - Peck

HB 479 - Hayne

HB 537 - Harper

HB 562 - Cohen

HB 663 - Dowell

HB 675 - Squires

HB 774 - R. Johnson

HB 794 - McCulloch

HB 848 - Bardanouve

HB 902 - Grady
HB 922 - Darko
HJR 7 - Larson
HJR 33 - S. Rice

Signed by the Speaker at 4:30 p.m., 3/20/91: HB 248, HB 275, HB 425, HB 445, HB 481, HB 521, HB 529, HB 555, HB 622.

Signed by the Speaker at 12:00 noon, 3/21/91: HB 109, HB 123, HB 137, HB 167, HB 197, HB 211, HB 269, HB 270, HB 297, HB 313, HB 348, HB 411, HB 610, HB 779, HB 941, HJR 41, SB 28, SB 146, SB 179, SB 372.

Delivered to the Governor for his approval at 3:50 p.m., 3/20/91: HB 149, HB 158, HB 168, HB 182, HB 217, HB 227, HB 248, HB 262, HB 266, HB 648, HB 682, HB 725, HB 756, HB 769, HB 854.

LOCAL GOVERNMENT (Wyatt, Chairman): 3/20/91
HJR 45, introduced bill, do pass. Report adopted.
HR 3, introduced bill, do pass. Report adopted.

TAXATION (Harrington, Chairman): 3/19/91
HB 982, introduced bill, be amended as follows:

1. Title, line 8.

Following: "1989;"

Insert: "EXTENDING THE NET PROCEEDS TAX EXEMPTION FOR NEW OIL AND GAS PRODUCTION WHILE THE PRICE OF OIL IS LESS THAN \$25 A BARREL;"

2. Page 12, lines 16 through 19.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

3. Page 15, line 4.

Following: "1"

Insert: "and"

4. Page 15, line 7.

Strike: "and"

Insert: "."

5. Page 15, lines 8 through 13.

Strike: subsection (iv) in its entirety

6. Page 17, line 17.

Following: "calculated;"

Insert: "and"

7. Page 17, lines 18 through 23.

Strike: subsection (h) in its entirety

Renumber: subsequent subsection

8. Page 19, line 12.

Strike: "(1)"

9. Page 19, lines 19 through 21.

Strike: "less" on line 19 through "15-23-602(1)(c)(iv)," on line 21

10. Page 20, lines 5 through 7.

Strike: subsection (2) in its entirety

11. Page 22, line 3.

Following: "exempt"

Insert: "-- limitation"

12. Page 22, line 16.

Strike: ", and before July 1, 1991"

13. Page 22.

Following: line 23

Insert: "(4) The exemption provided in subsection (1) applies to production in this state in any quarter only if the price per barrel for west Texas intermediate crude oil is less than \$25 a barrel as reported in the Wall Street Journal."

14. Page 67, line 8 through page 68, line 21.

Strike: sections 33 and 34 in their entirety

Renumber: subsequent sections

15. Page 68, line 23.

Strike: "\$275"

Insert: "\$254"

16. Page 69, line 1.

Strike: "Sections"

Insert: "Section"

Strike: ", 33, and 34"

Strike: "are"

Insert: "is"

17. Page 69, line 4.

Strike: "sections"

Insert: "section"

Strike: ", 33, and 34"

18. Page 69.

Following: line 8

Insert: "NEW SECTION. Section 36. Coordination instruction. If Senate Bill No. 17 is passed and approved and if it includes a section that amends 15-1-501, the appropriation in [section 33] is reduced from \$254 million to \$23 million."

NEW SECTION. Section 37. Nonseverability. It is the intent of the legislature that each part of [this act] is essentially dependent upon every other part, and if one part is held unconstitutional or invalid, all other parts are invalid."

Renumber: subsequent sections

19. Page 69, line 10.

Strike: the second "through"

Insert: ", "

Strike: ", 36,"

Insert: "through"

20. Page 69, line 14.

Strike: "35"

Insert: "33"

21. Page 69.

Following: line 15

Insert: "(1)"

22. Page 69.

Following: line 18.

Insert: "(2) Coal, oil, and natural gas produced after December 31, 1988, and before January 1, 1991, are subject to taxation as provided by Chapter 11, Special Laws of 1989, as amended by Chapter 3, Special Laws of 1990. Coal, oil, and natural gas produced after December 31, 1990, are subject to taxation as provided in [this act]."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/20/91

HB 390, introduced by Ream

Senate bill passed and transmitted to the House for concurrence: 3/20/91

SB 407, introduced by Waterman

House bills not concurred in and returned to the House: 3/19/91

HB 493, introduced by Cohen

HB 679, introduced by Scott

The Senate, on 3/20/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 33.

President Mazurek appointed the following members:

Senator Williams, Chairman

Senator Bianchi

Senator Grosfield

The Senate, on 3/20/91, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 151.

President Mazurek appointed the following members:

Senator Eck, Chairman
Senator Towe
Senator Harp

The Senate, on 3/16/91, failed to concur in House amendments to SB 196 and appointed a conference committee, requesting the House appoint a like committee to confer on House amendments to SB 196.

President Mazurek appointed the following members:

Senator Van Valkenburg, Chairman
Senator Halligan
Senator Beck

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

March 20, 1991

Dear Speaker Harper:

Please be informed that I have signed House Bills 3, 38, 55, 69, 82, 101, 102, 114, 135, 148, 156, 177, 189, 221, 223, 225, 231, 276, 310, 345, 432, 450, 516, 585 and 695 on 3/20/91.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

March 20, 1991

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of Senate Bill 30, "AN ACT TO DEFINE A PROFESSIONAL STRIKEBREAKER; TO

REQUIRE AN EMPLOYER INVOLVED IN A STRIKE TO OBTAIN EMPLOYMENT INFORMATION FROM A PROSPECTIVE EMPLOYEE PRIOR TO EMPLOYMENT; TO REQUIRE CERTAIN EMPLOYMENT INFORMATION TO BE SUBMITTED TO THE COMMISSIONER OF LABOR AND INDUSTRY; TO PROVIDE A PENALTY; AND AMENDING SECTIONS 39-33-201, ~~AND~~ 39-33-202, AND 39-33-205, MCA." This veto is made for the following reasons.

"The right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest." These words govern our actions and conduct and are found in Section 10, Article II of the Montana Constitution. Senate Bill 30 offends this basic principle. The requirement to mandate a prospective employer to inquire and divulge information concerning an employee's prior employment history for purposes of resolving issues of collective bargaining is not elevated to a compelling state interest.

The bill is vague, confusing and invites litigation at the expense of unsuspecting men and women who seek employment in this state.

The present law prevents and prohibits professional strike-breakers in labor disputes. It is sound law and one that is necessary and provides a reasonable balance and criteria to determine whether an individual is a strikebreaker. The present law accommodates the factual differences that may arise anywhere in Montana in labor disputes. The law identifies the criteria and defines the strikebreaker as "one who customarily and repeatedly offers himself for employment in the place of employees involved in labor disputes." That is the responsibility of the appropriate court who must make findings of fact and conclusions of law based on the facts of the strike and the employer and employee at that time.

One cannot and should not, by statute, categorize all labor disputes and circumstances surrounding employees in the same light as Senate Bill 30 would do. One cannot assume that an individual who wants to work is presumed to be a professional strikebreaker simply because he or she find themselves in employment that involves a labor dispute under an awkward formula contained in this bill.

I cannot condone requiring an employee to divulge employment information that is not necessary as a condition of employment and then expect the employer to furnish this information to state government. What is more, state government is required to divulge that information to a labor union. No public interest is served in providing this information to non-government organizations. The right of the individual employee's right to privacy should not be offended. I, therefore, veto Senate Bill 30.

Sincerely,

STAN STEPHENS
Governor

The Honorable Joseph P. Mazurek
President of the Senate
State Capitol
Helena, Montana 59620

March 20, 1991

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, Montana 59620

Dear President Mazurek and Speaker Harper:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the attached amendatory veto to Senate Bill 148, "AN ACT PROVIDING FOR CONFIDENTIALITY OF INFORMATION FROM A GASOLINE DISTRIBUTOR THAT IS IDENTIFIABLE AS PERTAINING TO AN INDIVIDUAL; AND AMENDING SECTIONS 15-70-205 AND 15-70-109, MCA." This amendatory veto is made for the following reasons.

These amendments are designed to conform the confidentiality provision to that of the Montana Income Tax. They allow the Department of Revenue to use the returns and statements to collect taxes and exchange information with the Internal Revenue Service and other states under the International Fuel Tax Agreement, Section 15-70-121, MCA. The amendments will also allow the department to use the information on the returns and statements to prepare reports when that report will not identify the distributor or person preparing the statement. The sponsor, Senator Paul Svrcek, concurs with these amendments.

I urge your concurrence as well.

Sincerely,

STAN STEPHENS
Governor

GOVERNOR'S AMENDMENTS
TO SENATE BILL 148
(REFERENCE COPY, AS AMENDED)
MARCH 20, 1991

1. Page 2, line 10

Following: "gasoline."

Insert: "Nothing herein shall be construed to prohibit:

(a) the delivery to a distributor or his authorized representative of a certified copy of any return or report filed in connection with his tax;

(b) the inspection by the attorney general or other legal representative of the state of the report or return of any distributor who shall bring action to set aside or review the tax based thereon or against whom an action or proceeding has been instituted in accordance with the provision of Title 15.

(c) the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof;

(d) the inspection by the commissioner of internal revenue of the United States or the proper officer of any representative of either officer of the report or return of any distributor or the furnishing to such officer or this authorized representative of an abstract of the report or return, but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter or in compliance with 15-70-121 and 122; or

(e) the compliance of the department with any order of a court of competent jurisdiction."

2. Page 3, line 17.

Following: "gasoline."

Insert: "Nothing herein shall be construed to prohibit:

(a) the delivery to a person or his authorized representative of a certified copy of any report filed under subsection (1);

(b) the inspection by the attorney general or other legal representative of the state of the report or statement of any person if a person or distributor shall bring action to set aside or review the tax based thereon or if an action or proceeding has been instituted in accordance with the provision of Title 15 against that person or a distributor;

(c) the publication of statistics so classified as to prevent the identification of particular reports or statements and the items thereof;

(d) the inspection by the commissioner of internal revenue of the United States or the proper officer of any state imposing a tax on motor fuels or the authorized representative of either officer of the report or statement of any person or the furnishing to such officer or this authorized representative of an abstract of the report or statement, but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter or in compliance with 15-70-121 and 122; or

(e) the compliance of the department with any order of a court of competent jurisdiction."

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 407, introduced by Waterman, O'Keefe, J. Rice, Harper, Gervais, Mazurek, referred to Committee on Natural Resources

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 568 passed as follows:

Ayes: Bardanouve, Beck, Becker, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Ellis, Fagg, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Knox, Larson, Madison, McCulloch, Measure, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Southworth, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Zook, Mr. Speaker.
Total 57

Noes: Bachini, Barnett, Barnhart, Benedict, Bergsagel, Boharski, Brooke, Cobb, Cody, Cohen, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Feland, Forrester, Gilbert, Grinde, H. S. Hanson, Hayne, Kasten, Kimberley, Lee, McCaffree, McCarthy, Menahan, Mercer, L. Nelson, Peck, Peterson, Phillips, Scott, Simpkins, Squires, Stepler, Swysgood, Thoft, Wanzenried, Whalen, Wyatt.
Total 41

Excused: Ellison, Spring.
Total 2

Absent or not voting: None.
Total 0

HB 901 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: R. DeBruycker, Grady.
Total 2

Excused: Ellison, Spring.
Total 2

Absent or not voting: None.

Total 0

HB 974 passed as follows:

Ayes: Bachini, Bardanoue, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 1 concurred in as follows:

Ayes: Bardanoue, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Bachini, Barnett, Benedict, Bergsagel, Cobb, R. DeBruycker, Feland, Gilbert, Grinde, Hayne, Kasten, Peck, Peterson, Phillips, Simpkins, Stang, Swysgood, Thoft, Thomas.

Total 19

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 142 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Spring, Squires, Stepler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Barnett, Bergsagel, Cobb, Daily, Darko, Driscoll, Gilbert, Grinde, McCulloch, Menahan, Pavlovich, Scott, Southworth, Stang, Strizich.

Total 15

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 243 concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Bachini, Barnett, Bergsagel, Cobb, Cody, Elliott, Feland, Gilbert, Grinde, L. Nelson, Peck, Scott, Stang, Stepler, Swysgood, Thoft.

Total 16

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 267 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, J. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Feland, Forrester, Foster, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Knox, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Peck, Peterson, Quilici, Simpkins, Spring, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 37

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

SB 297 concurred in as follows:

Ayes: Bardanouve, Barnett, Beck, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cromley, Daily, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, Ream, J. Rice, S. Rice, Russell, Simpkins, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 73

Noes: Bachini, Becker, Brooke, Cocchiarella, Cody, Cohen, Connelly, Darko, Dolezal, Dowell, Gervais, S. J. Hansen, Lee, Measure, Nisbet, O'Keefe, Peck, Raney, Schye, Scott, Southworth, Spring, Strizich, Whalen, Mr. Speaker.
Total 25

Excused: Ellison.
Total 1

Absent or not voting: Barnhart.
Total 1

SB 319 concurred in as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bachini, Lee, Southworth.
Total 3

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

SB 321 concurred in as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bachini, Bardanouve, Bergsagel, Boharski, Cody, Ellis, Gilbert, Grinde, M. Hanson, Hayne, Peck, Spring, Swysgood.
Total 13

Excused: Ellison.
Total 1

Absent or not voting: None.
Total 0

SB 322 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Cohen, Gilbert.

Total 2

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 329 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, Hoffman, J. Johnson, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt.

Total 75

Noes: Barnett, Benedict, Bergsagel, Cobb, Forrester, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Kadas, Kasten, Mercer, L. Nelson, Phillips, Scott, Spring, Steppler, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.

Total 24

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 356 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Elliott, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hansen, M. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Russell, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: Barnett, Bergsagel, Boharski, Cobb, Cody, J. DeBruycker, Driscoll, Ellis, Grinde, Kasten, L. Nelson, Peck, J. Rice, Schye, Scott, Simpkins, Zook.

Total 17

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

SB 383 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: R. DeBruycker.

Total 1

Excused: Ellison.

Total 1

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kasten in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 293 - Representative Toole moved SB 293 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bachini, Bergsagel, Peck.

Total 3

Excused: Ellison, Grinde.

Total 2

Absent or not voting: Boharski, Lee, McCaffree.

Total 3

SB 308 - Representative J. Johnson moved SB 308 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Raney, Ream, J. Rice, Russell, Schye, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Measure, L. Nelson, Peterson, Scott, Spring, Whalen.
Total 6

Excused: Bardanouve, Bradley, Cody, Ellison, Grinde, Kadas, Quilici, Thoft.
Total 8

Absent or not voting: S. Rice.
Total 1

SB 392 - Representative J. Rice moved SB 392 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, R. DeBruycker, Dolezal, Driscoll, Elliott, Fagg, Foster, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peterson, Phillips, Raney, J. Rice, S. Rice, Schye, Southworth, Spring, Squires, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 73

Noes: Bachini, Beck, Cromley, J. DeBruycker, Dowell, Ellis, Feland, Forrester, Galvin, Kasten, McCaffree, Measure, O'Keefe, Peck, Ream, Russell, Scott, Simpkins, Stang, Stepler, Wyatt.
Total 21

Excused: Bradley, Ellison, Grinde, J. Johnson, Kadas, Quilici.
Total 6

Absent or not voting: None.
Total 0

SB 437 - Representative Mercer moved consideration of SB 437 be passed for the day. Motion carried.

SJR 19 - Representative Pavlovich moved SJR 19 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnett, Benedict, Bergsagel, D. Brown, Clark, Cobb, Cody, Daily, Davis, J. DeBruycker, Ellis, Ellison, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kimberley, Knox, Lee, Madison, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Wallin, Zook.
Total 50

Noes: Barnhart, Beck, Becker, Boharski, Brooke, J. Brown, Cocchiarella, Cohen, Cromley, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Feland, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Larson,

McCaffree, McCulloch, Measure, Nisbet, O'Keefe, Raney, Ream, Russell, Schye, Scott, Southworth, Stepler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 42

Voted Absentee: Ellison, Aye; Kadas, No.

Excused: Bardanouve, Bradley, Connelly, Peck, Quilici.
Total 5

Absent or not voting: Elliott, S. Rice, Squires.
Total 3

HB 29 - Representative Kilpatrick moved Senate amendments to HB 29 be concurred in.

Representative Driscoll made a substitute motion consideration of Senate amendments to HB 29 be passed for the day. Motion carried.

HB 76 - Representative Gould moved Senate amendments to HB 76 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cromley.
Total 1

Excused: Bradley, Ellison, Grinde, Kadas, Quilici.
Total 5

Absent or not voting: Elliott, Stepler.
Total 2

HB 111 - Representative Darko moved Senate amendments to HB 111 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson,

Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Whalen.
Total 1

Excused: Bradley, Ellison, Grinde, Kadas, Quilici, Swysgood, Thoft.
Total 7

Absent or not voting: D. Brown, Driscoll, Elliott.
Total 3

HB 161 - Representative Gilbert moved Senate amendments to HB 161 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergsagel, Cobb, J. DeBruycker, R. DeBruycker, Feland, Phillips, Stang, Swysgood, Thoft.
Total 9

Excused: Bradley, Ellison, Grinde, Kadas, Quilici.
Total 5

Absent or not voting: Daily, Pavlovich.
Total 2

HB 284 - Representative Foster moved Senate amendments to HB 284 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley,

Knox, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Ream, J. Rice, S. Rice, Russell, Schye, Simpkins, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bergsagel, Cody, Darko, J. DeBruycker, Measure, L. Nelson, Scott, Stang, Wanzenried.

Total 9

Excused: Bradley, Ellison, Grinde, Kadas, Menahan, Quilici, Swysgood, Thoft.

Total 8

Absent or not voting: McCarthy, Raney.

Total 2

HB 311 - Representative Hoffman moved Senate amendments to HB 311 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergsagel, Cohen, Measure, Stang.

Total 4

Excused: Bradley, Ellison, Grinde, Kadas, Menahan, Quilici.

Total 6

Absent or not voting: McCarthy, Simpkins.

Total 2

HB 333 - Representative Brooke moved Senate amendments to HB 333 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick,

Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Bachini, Bergsagel, Boharski, Clark, Knox, Peck, Peterson, Phillips, Simpkins, Spring.
Total 10

Excused: Bradley, Ellison, Grinde, Kadas, Menahan, Quilici, Swysgood, Thoft.
Total 8

Absent or not voting: None.
Total 0

HB 356 - Representative Beck moved Senate amendments to HB 356 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: R. DeBruycker, Feland, Knox, Phillips, Simpkins, Wallin.
Total 6

Excused: Bradley, Ellison, Grinde, Kadas, Quilici, Swysgood, Thoft.
Total 7

Absent or not voting: Bergsagel, Cohen, Gould.
Total 3

HB 431 - Representative Schye moved consideration of Senate amendments to HB 431 be passed for the day. Motion carried.

HB 549 - Representative Driscoll moved consideration of Senate amendments to HB 549 be passed for the day. Motion carried.

HB 588 - Representative Davis moved Senate amendments to HB 588 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Beck, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Spring, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Barnett, Barnhart, Becker, Cobb, R. DeBruycker, Measure, O'Keefe, Southworth, Thomas.

Total 9

Excused: Bradley, Ellison, Grinde, Kadas, Quilici, Swysgood, Thoft.

Total 7

Absent or not voting: Bergsagel, Gould, Simpkins.

Total 3

HB 712 - Representative Squires moved Senate amendments to HB 712 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Barnett, R. DeBruycker, Feland, Foster, Hayne, Knox, Peterson, Phillips, Spring, Swysgood, Thoft, Wallin.

Total 12

Excused: Bradley, Ellison, Grinde, Kadas, Quilici.

Total 5

Absent or not voting: Benedict, J. DeBruycker, Ellis, McCaffree, McCulloch, Mercer, T. Nelson, Simpkins, Stepler, Tunby.

Total 10

HB 758 - Representative Barnhart moved Senate amendments to HB 758 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Fagg, Foster, Galvin, Gervais, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Pavlovich, Raney, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 66

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, Cobb, Cromley, J. DeBruycker, R. DeBruycker, Ellis, Feland, Forrester, Gilbert, Hayne, Keller, Peck, Phillips, Tunby, Wallin.

Total 19

Excused: Bradley, Ellison, Grinde, Kadas, Nisbet, Peterson, Quilici, Swysgood, Thoft, Zook.

Total 10

Absent or not voting: McCaffree, J. Rice, Simpkins, Spring, Stepler.

Total 5

HB 782 - Representative Hansen moved Senate amendments to HB 782 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 82

Noes: Benedict, Clark, R. DeBruycker, Feland, Hoffman, Zook.

Total 6

Excused: Bradley, Ellison, Grinde, Kadas, Peterson, Quilici, Swysgood, Thoft.

Total 8

Absent or not voting: Boharski, Simpkins, Spring, Stepler.

Total 4

HB 816 - Representative Harrington moved Senate amendments to HB 816 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: T. Nelson.

Total 1

Excused: Bradley, Ellison, Grinde, Kadas, Quilici, Swysgood, Thoft.

Total 7

Absent or not voting: Simpkins.

Total 1

HB 819 - Representative Russell moved Senate amendments to HB 819 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.

Total 77

Noes: Bachini, Barnett, Benedict, Bergsagel, Clark, R. DeBruycker, Feland, H. S. Hanson, Knox, Peck, Spring, Thomas.

Total 12

Excused: Bradley, Ellison, Grinde, Kadas, Quilici, Swysgood, Thoft, Zook.

Total 8

Absent or not voting: J. DeBruycker, T. Nelson, Simpkins.

Total 3

HB 829 - Representative Phillips moved Senate amendments to HB 829 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody,

Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Brooke, Measure.
Total 2

Excused: Bradley, Ellison, Grinde, Kadas, Quilici.
Total 5

Absent or not voting: Cohen.
Total 1

HB 938 - Representative R. Johnson moved Senate amendments to HB 938 be concurred in. Motion carried as follows:

Ayes: Barnett, Beck, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Becker.
Total 1

Excused: Bardanouve, Bradley, Ellison, Grinde, Kadas, Peck, Quilici, Swysgood, Thoft.
Total 9

Absent or not voting: Bachini, Barnhart, Brooke, Davis, J. DeBruycker, Gould, Larson, L. Nelson, T. Nelson, S. Rice, Russell.
Total 11

HJR 29 - Representative Squires moved Senate amendments to HJR 29 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, Ream, J. Rice, S. Rice, Russell, Schye, Scott, Simpkins, Southworth, Squires, Stang, Stepler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: R. DeBruycker, Ellis, Feland, Spring.

Total 4

Excused: Bradley, Ellison, Grinde, Kadas, Quilici, Swysgood, Thoft.

Total 7

Absent or not voting: None.

Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kasten moved the adoption of the committee report. Report adopted. (85-7)

MOTIONS

Representative Driscoll moved HB 73 be taken from the table in the Committee on Judiciary and rereferred to the Committee on Appropriations. Motion carried.

Representative Driscoll moved HB 661 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried.

Representative Hoffman moved the House reconsider its action on HB 312 taken on second reading the previous legislative day. Motion carried.

Representative Hoffman moved HB 312 be taken from second reading and rereferred to the Committee on Taxation. Motion carried.

Representative Driscoll moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 196. Motion carried.

Representative Southworth moved the rules be suspended to allow Representative J. Johnson to be recorded as voting yes on Senate amendments to HB 76, HB 111, HB 161, HB 311, and HB 588, second reading. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the conference committee on House amendments to SB 196:

Representative Strizich, Chairman
Representative Brooke
Representative Thoft

REPORTS OF STANDING COMMITTEES

BUSINESS AND ECONOMIC DEVELOPMENT (Bachini, Chairman):

3/21/91

SB 394, third reading copy, be amended as follows:

1. Title, line 12.

Strike: "PHYSICIAN"

Insert: "HEALTH CARE PROFESSIONAL"

2. Page 4, line 15.

Following: "provided."

Insert: "Utilization review does not include routine claim administration or determination that does not include determinations of medical necessity or appropriateness."

3. Page 4, lines 16 through 20.

Strike: subsection (5) in its entirety

4. Page 6, line 17.

Strike: "BY A UTILIZATION REVIEW AGENT AS"

Insert: "that is made on appeal or reconsideration as provided in [section 6] and that is adverse to a patient or to an affected health care provider may not be made on a question relating"

5. Page 6, lines 20 through 22.

Strike: lines 20 through 22 in their entirety

Insert: "a health care service without prior written findings, evaluation, and concurrence in the adverse determination by a health care professional trained in the relevant area of health care. Copies of the written findings, evaluation, and concurrence must be provided to the patient on request as provided in Title 33, chapter 19."

6. Page 6, line 23 through page 7, line 6.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

7. Page 7, line 7.

Following: "determination"

Insert: "made on appeal or reconsideration, as provided in [section 6],"

8. Page 7, line 9.

Strike: "physician"

Insert: "health care professional"

9. Page 7, line 11.

Strike: "physician or other"

10. Page 7, lines 11 and 12.

Strike: ", as the case may be,"

11. Page 8, line 6.

Following: "has"

Insert: "at least"

12. Page 8, line 10.

Strike: "30"

Insert: "60"

13. Page 10, line 19.

Following: line 18

Insert: "(3) A peer review procedure conducted by a professional society or association of providers is exempt from the provisions of [sections 1 through 9]."

And, as amended, be concurred in. Report adopted.

HIGHWAYS AND TRANSPORTATION (Stang, Chairman):

3/21/91

SB 164, third reading copy, be amended as follows:

1. Page 4, line 15.

Strike: "and"

2. Page 4, line 16.

Following: "TRANSIT"

Insert: "; and"

3. Page 4, line 17.

Following: line 16

Insert: "(5) motor carrier services"

And, as amended, be concurred in. Report adopted.

SB 178, third reading copy, be amended as follows:

1. Title, line 5.

Following: "CONFORM"

Strike: "THE"

Insert: "CERTAIN"

2. Title, line 9.

Following: "COMBINATIONS;"

Insert: "TO REQUIRE A STUDY OF TURNPIKE DOUBLES;"

3. Page 1, lines 12 through 25.

Following: line 11

Strike: Statement of Intent in its entirety

4. Page 2, lines 18 and 19.

Following: "combinations" on line 18

Strike: remainder of line 18 through "double," on line 19

5. Page 4, lines 22 through 24.

Strike: subsection (e) in its entirety

6. Page 6, line 25.

Following: "~~vehieles~~"

Strike: "a turnpike double"

Insert: "any combination of vehicles"

7. Page 7, line 1.

Following: "~~but~~"

Insert: "exceeds 95 feet in length but"

Strike: "110"

Insert: "100"

8. Page 7, lines 10 through 15.

Following: "~~\$125~~" on line 10

Strike: remainder of line 10 through "(6)(d)," on line 15

Insert: ", except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer combination, for travel only on highways that are part of the federal-aid interstate system, as defined in 60-1-103, or on other highways within a 2-mile radius of an interchange on the interstate system in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange. The fee for this permit is \$125."

9. Page 8, line 19.

Following: "~~interchange~~."

Insert: "When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange."

10. Page 9, line 25.

Following: line 24

Insert: "NEW SECTION. Section 4. Turnpike doubles -- study. (1) The department of highways shall conduct a study over the next 2 years of:

(a) all interchanges in Montana and the ability of the interchanges to accommodate twin 45s as turnpike doubles;

(b) the impact on highways of permitting twin 45s as turnpike doubles;

(c) terminal positions to interchanges; and

(d) the concept of permitting twin 45s as turnpike doubles.

(2) The department of highways shall report its finding of the study to the 53rd legislature."

And, as amended, be concurred in. Report adopted.

SB 191, third reading copy, be amended as follows:

1. Title, line 12.

Following: "PURPOSE;"

Insert: "PROVIDING THAT A DISABLED VETERAN HAS THE OPTION OF RECEIVING A HANDICAPPED LICENSE PLATE OR, IF QUALIFIED, AN EX-PRISONER OF WAR LICENSE PLATE;"

Title, lines 21 and 22.

Strike: lines 21 and 22 in their entirety

Title, line 23.

Strike: "15-70-101."

Title, page 2, line 1.

Strike: "AND"

Following: ";

Insert: "AND 61-6-302,"

2. Page 22, line 9.

Following: "'DV'"

Insert: "or the handicapped license plate provided for in 61-3-445"

3. Page 22, line 14.

Following: "chapter."

Insert: "A disabled veteran who meets the requirements for issuance of a "DV" license plate and who also qualifies for the issuance of an ex-prisoner of war license plate may obtain the ex-prisoner of war license plate upon payment of the same \$5 fee."

4. Page 41, line 11 through page 45, line 10.

Strike: section 15 in its entirety

Insert: "Section 15. Section 61-6-302, MCA, is amended to read:

~~"61-6-302. Proof of compliance. (1) Except as provided in subsection (2), before any applicant required to register his motor vehicle may do so, the applicant must certify to the county treasurer that he possesses an automobile liability insurance policy, a certificate of self insurance, or a posted indemnity bond or that he is eligible for an exemption under 61-6-303 covering the motor vehicle. The certification shall be on a form prescribed by the department. The department may immediately cancel the registration and license plates of the vehicle upon notification that the insurance certification was not correctly represented. Any person who intentionally provides false information on an insurance certification is guilty of unsworn falsification to authorities, punishable as provided in 45-7-203."~~

~~(2) An applicant for registration of a motor vehicle who wishes to register the vehicle by mail must sign a statement on the application stating that the applicant is in compliance with the financial liability requirements of 61-6-301.~~

~~(3) An owner of a motor vehicle who ceases to maintain the insurance or bond required under 61-6-301 or whose certificate of self-insurance is canceled or whose vehicle ceases to~~

be exempt under 61-6-303 shall immediately surrender the registration and license plates for the vehicle to the county treasurer for delivery to the department and may not operate or permit operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

(4)(2) ~~Every~~ A person shall carry in a motor vehicle being operated by him an insurance card approved by the department but issued by the insurance carrier to the motor vehicle owner as proof of compliance with 61-6-301. A motor vehicle operator shall exhibit the insurance card upon demand of a justice of the peace, a city or municipal judge, a peace officer, a highway patrol officer, or a field deputy or inspector of the department. ~~However, no~~ A person charged with violating this subsection may not be convicted if he produces in court or the office of the arresting officer proof of insurance valid at the time of his arrest.""

Following "61-6-302."

Strike: "Proof"

Insert: "Surrender of registration -- proof"

And, as amended, be concurred in. Report adopted.

SB 273, third reading copy, be amended as follows:

1. Page 4, lines 5 and 6.

Following: "trucks" on line 5

Strike: remainder of line 5 through "chips," on line 6

2. Page 4, line 7.

Strike: "61-10-107, must"

Insert: "subsection (2) may"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Strizich, Chairman):

3/21/91

SB 199, third reading copy, be concurred in. Report adopted.

NATURAL RESOURCES (Raney, Chairman):

3/21/91

HB 731, introduced bill, be amended as follows:

1. Title, lines 5, 7, and 12

Strike: "RIPARIAN"

Insert: "STREAMSIDE"

2. Page 1, line 16.

Page 3, lines 13 and 19.

Page 4, lines 11, 15, and 24.

Page 5, lines 1, 4, and 8.

Page 7, line 2.

Page 9, lines 9 and 20.

Page 12, line 18.

Strike: "riparian"

Insert: "streamside"

3. Page 1, line 21.

Strike: "protection"

Insert: "management"

4. Page 1, line 24 through page 3, line 11.

Strike: "It" on page 1, line 24 through "wildlife." on page 3, line 11

Insert: "It is the intent of the legislature that the department of state lands adopt rules to implement the management standards provided for in [section 3] as enforceable standards for streamside management zones. These standards are to be coordinated with the objectives and guidelines contained in the existing system of voluntary best management practices, which will still guide forest practices outside of the streamside management zone. The department shall adopt rules governing the harvest of timber in streamside management zones to ensure the retention of merchantable and submerchantable timber necessary to maintain the integrity of the streamside management zone. The department shall also adopt rules under which owners and operators may receive approval for alternative practices under the criteria and procedures provided in [section 3(2)]."

It is the intent of the legislature that the department develop voluntary, nonenforceable guidelines concerning the selection and retention of trees and vegetation, including snags, for wildlife habitat within the streamside management zone.

It is the intent of the legislature that the department establish an interdisciplinary technical committee to assist the department in adopting rules, developing voluntary guidelines for the management of wildlife habitat, and monitoring the implementation of this bill. The members of the committee should have technical knowledge or expertise in water quality, wildlife management, or forest management and include representatives from the U.S. forest service; U.S. bureau of land management; the Montana departments of health and environmental sciences and fish, wildlife, and parks; conservation districts; the Montana state university extension forestry program; the Montana forestland conservation experiment station; the forest products industry; and the conservation community.

To the extent practical, the department should conduct onsite consultations under [section 4] in conjunction with consultations or inspections conducted pursuant to Title 76, chapter 13, parts 1 and 4. It is also the intent of the legislature that whenever department personnel in the field notice a probable water quality or 310 permit violation that they notify the appropriate authority.

It is the intent of the legislature that the department, with the assistance of the technical committee, evaluate the implementation of this bill, develop recommendations to address problems, if any, that arise, and report its findings and recommendations to the environmental quality council."

5. Page 4, line 25.

Strike: "standards"

Insert: "guidelines"

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Strike: "protection"

Insert: "management"

6. Page 6, lines 9 through 18.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

7. Page 6.

Following: line 22

Insert: "(8) 'Streamside management zone' or 'zone' means the stream, lake, or other body of water and an adjacent area of varying width where management practices that might affect wildlife habitat or water quality, fish, or other aquatic resources need to be modified. The streamside management zone encompasses a strip at least 50 feet wide on each side of a stream, lake, or other body of water, measured from the ordinary high-water mark, and extends beyond the high-water mark to include wetlands and areas that provide additional protection in zones with steep slopes or erosive soils."

8. Page 7, line 1.

Strike: "Purposes and standards"

Insert: "Standards"

9. Page 7, line 3 through page 8, line 12.

Strike: "forest" on page 7, line 3 through "protected." on page 8, line 12

Insert: "the following practices are prohibited in a streamside management zone:

- (a) broadcast burning;
- (b) the operation of wheeled or tracked vehicles except on established roads;
- (c) the forest practice of clearcutting;
- (d) the construction of roads except when necessary to cross a stream or wetland;
- (e) the handling, storage, application, or disposal of hazardous or toxic materials in a manner that pollutes streams, lakes, or wetlands or that may cause damage or injury to humans, land, animals, or plants.
- (f) the side-casting of road material into a stream, wetland, or watercourse; and
- (g) the deposit of slash in streams or other water bodies."

10. Page 9, lines 2 through 4.

Strike: "that" on line 2 through "retained" on line 4

Insert: "for the sole purpose of harvesting additional trees"

11. Page 10, line 9.

Strike: "(a)"

12. Page 10, lines 11 through 16.

Strike: "is" on line 11 through "both" on line 16

Insert: "shall be subject to a civil penalty not to exceed \$1,000"

13. Page 10, lines 16 and 17.

Strike: the second "of" on line 16 through "is" on line 17
Insert: "constitutes"

Page 10, line 17.

Strike: ":",

Insert: " ."

14. Page 10, lines 18 through 22.

Strike: subsection (b) in its entirety

15. Page 12, line 14.

Strike: "purposes and"

16. Page 12, line 20.

Strike: "and"

17. Page 12, lines 21 and 22.

Strike: "including" on line 21 through "7]" on line 22

Insert: "governing the alternative practices provided for in [section 3]; and
(4) regulating the harvest of timber in streamside
management zones"

And, as amended, do pass. Report adopted.

HB 778, introduced bill, be amended as follows:

1. Title, line 6.

Following: "OF"

Insert: "LEASED"

Following: "INCLUDES"

Insert: "GENERAL"

2. Title, lines 7 through 9.

Strike: "REQUIRING" on line 7 through "MET;" on line 9

3. Title, lines 10 and 11.

Strike: "OPEN" on line 10 through "EXCEPTIONS" on line 11

Insert: "ADOPT RULES TO AUTHORIZE AND GOVERN THE
RECREATIONAL USE AND CLOSURE OF LEASED STATE LANDS"

4. Title, line 12.

Strike: "WILDLIFE CONSERVATION"

5. Title, line 13.

Following: "THE"

Insert: "GENERAL"

Following: "OF"

Insert: "LEASED"

6. Title, lines 16 and 17.

Strike: "INCREASING" on line 16 through "LICENSES;" on line 17

7. Title, line 17.

Following: "FOR"
Strike: "DISPOSITION"
Insert: "THE STATUTORY APPROPRIATION"

8. Title, line 18.
Following: "PENALTIES;"
Strike: "AND"
Insert: "PROVIDING COMPENSATION FOR DAMAGE TO A LESSEE'S
IMPROVEMENTS, GROWING CROPS, AND LIVESTOCK;
PROVIDING AN APPROPRIATION;"

9. Title, line 18.
Following: "SECTIONS"
Insert: "17-7-502,"

10. Title, line 19.
Following: "19-8-504,"
Insert: "77-1-101,"

11. Title, lines 20 and 21.
Following: "87-1-502,"
Insert: "87-1-504, AND"
Following: "87-1-601,"
Strike: remainder of line 20 through "87-2-204," on line 21
Following: "MCA" on line 21
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

12. Page 1.
Following: line 23
Strike: the statement of intent in its entirety
Insert: "A statement of intent is required for this bill because [section 13]
requires the board of land commissioners to adopt rules to
implement the provisions for general recreational use of leased
state lands established by this bill. Consistent with the provisions
of this bill, the legislature recognizes the public's right to general
recreational use of state lands, and it is the intent of the legislature
that public recreational use of state lands be accomplished to the
fullest extent possible. It is acknowledged that certain leased state
lands will merit closure to public recreational use due to certain
considerations, including but not limited to the presence of growing
crops and livestock and the proximity of dwellings and agricultural
buildings. Nothing in this bill authorizes or purports to authorize
trespass on private lands to reach state lands.

This bill requires the board to adopt rules governing the
general recreational use of leased state lands. These rules must
address the compensation for damage to improvements, criteria for
closure, restrictions upon certain recreational activities, and, when
requested by any surface lessee, provision for the recreational user
to make a reasonable effort to provide prior notice of the type and
extent of the recreational use contemplated.

[Section 18] authorizes the board to adopt rules for weed
control activities. It is the intent of the legislature that the board
establish a procedure whereby weed infestations on leased state

lands that are attributable to recreational access are controlled or eradicated. Examples of procedures that fulfill this intent include:

- (1) a departmental weed control program;
- (2) payments for weed control activities; and
- (3) payments to county weed boards.

It is the intent of the legislature that the board evaluate the implementation of this bill, develop recommendations to address problems, if any, that arise through the course of rulemaking and implementation, and report its findings and recommendations to the 53rd legislature."

13. Page 2.

Following: line 18

Strike: everything after the enacting clause

Insert: "Section 1. Section 19-8-504, MCA, is amended to read:

"19-8-504. State's contribution. Each month the state treasurer shall pay to the account, out of the department of fish, wildlife, and parks moneys, a sum equal to 7.15% of the total of all members' salaries, and out of the moneys collected as fines and forfeited bonds under the provisions of 87-1-601(1) through (5) or moneys distributed under 3-10-601(4), all such collections are statutorily appropriated to the account until the unfunded liability in the account is solvent and a verification statement to that effect is given to the state treasurer by the board."

Section 2. Section 77-1-101, MCA, is amended to read:

"77-1-101. Definitions. Unless the context requires otherwise and except for the definition of state land in 77-1-701, in this title the following definitions apply:

(1) "Department" means the department of state lands provided for in Title 2, chapter 15, part 32.

(2) "Board" means the board of land commissioners provided for in Article X, section 4, of the constitution of this state.

(3) "Commissioner" means the commissioner of state lands provided for in 2-15-3202.

(4) "State land" or "lands" means lands granted to the state by the United States for any purpose, either directly or through exchange for other lands; lands deeded or devised to the state from any person; and lands that are the property of the state through the operation of law. The term does not include lands the state conveys through the issuance of patent; lands used for building sites, campus grounds, or experimental purposes by any state institution that are the property of that institution; or lands acquired through foreclosure of any investments purchased under the provisions of 17-6-211.

(5) "Commercial or concentrated recreational use" means any recreational use that is organized, developed, or coordinated, whether for profit or otherwise. Commercial or concentrated recreational use includes all outfitting activity and all activities not included within the definition of general recreational use.

(6) "General recreational use" includes noncommercial and nonconcentrated hunting, fishing, swimming, boating, rafting, tubing, camping, picnicking, hiking, nature study, photography,

bird watching, waterskiing, horseback riding, winter sports, viewing or enjoying historical or scenic sites, and other activities determined by the board to be compatible with the use of state lands. General recreational use does not include the use of streams and rivers by the public under the stream access laws provided in Title 23, chapter 2, part 3.

(7) "Legally accessible state lands" means state lands that can be accessed by public road, right-of-way, or easement; by public waters; by adjacent federal, state, county, or municipal land if the land is open to public use; or by adjacent private land if permission to cross the land has been secured from the landowner. The granting of permission by a private landowner to cross private property in a particular instance does not subject the state land that is accessed to general recreational use by members of the public other than those granted permission.

(8) "Leased state lands" means state lands that have been leased for agricultural, grazing, timber, or other purposes."

Section 3. Section 77-1-202, MCA, is amended to read:

"77-1-202. Powers and duties of board. (1) The board shall exercise general authority, direction, and control over the care, management, and disposition of state lands and, subject to the investment authority of the board of investments, the funds arising from the leasing, use, sale, and disposition of those lands or otherwise coming under its administration. In the exercise of these powers, the guiding rule and principle is that these lands and funds are held in trust for the support of education and for the attainment of other worthy objects helpful to the well-being of the people of this state. The board shall administer this trust to secure the largest measure of legitimate and reasonable advantage to the state.

(2) It is consistent with the powers and duties of the board in subsection (1) that the people of this state are entitled to general recreational use of state lands.

(2)(3) When acquiring land for the state, the board shall determine the value thereof after an appraisal by a qualified land appraiser."

Section 4. Section 77-1-203, MCA, is amended to read:

"77-1-203. Multiple-use management. (1) The board shall manage state lands under the multiple-use management concept defined as the management of all the various resources of the state lands so that:

(a) they are utilized in that combination best meeting the needs of the people and the beneficiaries of the trust, making the most judicious use of the land for some or all of those resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions and realizing that some land may be used for less than all of the resources; and

(b) harmonious and coordinated management of the various resources, each with the other, will result without

impairment of the productivity of the land, with consideration being given to the relative values of the various resources.

(2) If a parcel of state land in one class has other multiple uses or resource values which are of such significance that they do not warrant classification for the value, the land shall, nevertheless, be managed insofar as is possible to maintain or enhance these multiple-use values.

(3) Multiple-use management of state lands, including those lands that are leased primarily for other purposes, includes general recreational use as defined in 77-1-101. General recreational use is limited to legally accessible state lands, as defined in 77-1-101, that have not been closed to some or all recreational uses in accordance with rules promulgated under [section 13].

(4) The department shall include in all new or renewal leases and licenses a provision that leased lands may not be closed at any time to the public for general recreational purposes without the advanced written permission of the department."

Section 5. Section 77-1-204, MCA, is amended to read:

"77-1-204. Power to sell, lease, or exchange certain state lands.

(1) The board is authorized to lease state lands for uses other than agriculture, grazing, timber harvest, or mineral production under such terms and conditions which best meet the duties of the board as specified in 77-1-202 and 77-1-203~~(4)~~. The lease period for such leases, except for power and school site leases, may not be for longer than 40 years.

(2) The board shall have full power and authority to sell, exchange or lease lands under its jurisdiction by virtue of 77-1-214 when, in its judgment, it is advantageous to the state to do so in the highest orderly development and management of state forests and state parks. Said sale, lease, or exchange shall not be contrary to the terms of any contract which it has entered into."

Section 6. Section 77-1-402, MCA, is amended to read:

"77-1-402. Basis for classification or reclassification. (1) The classification or reclassification shall be so made as to place state land in the class which best accomplishes the powers and duties of the board as specified in 77-1-202 and 77-1-203~~(4)~~. When state lands are classified or reclassified in accordance with these duties and responsibilities, special attention shall be paid to the capability of the land to support an actual or proposed land use authorized by each classification.

(2) It is the duty of the department to classify or reclassify state lands so that no state land will be sold, leased, or used under a different classification from that to which it actually belongs."

Section 7. Section 87-1-102, MCA, is amended to read:

"87-1-102. Penalties. (1) A person violating any provision of this title, any other state law pertaining to fish and game, or the orders or rules of the commission or department is, unless a different punishment is expressly provided by law for the violation,

guilty of a misdemeanor and shall be fined not less than \$50 or more than \$500, imprisoned in the county jail for not more than 6 months, or both. In addition, the person shall be subject to forfeiture of his license and the privilege to hunt, fish, or trap within this state or to use leased state lands for general recreational purposes for a period of not less than 24 months from the date of conviction.

(2) (a) A person convicted of unlawfully taking, killing, possessing, transporting, or wasting of a bighorn sheep, moose, wild bison, caribou, mountain goat, or grizzly bear or any part of these animals shall be fined not less than \$500 or more than \$1,000, imprisoned in the county jail for not more than 6 months, or both. In addition, that person shall forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for not less than 30 months from the date of conviction.

(b) A person convicted of unlawfully taking, killing, possessing, or transporting a deer, antelope, elk, mountain lion, or black bear or any part of these animals or wasting a deer, antelope, or elk shall be fined not less than \$300 or more than \$1,000, imprisoned in the county jail for not more than 6 months, or both. In addition, that person shall forfeit any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state for not less than 24 months from the date of conviction.

(c) A person convicted of unlawfully attempting to trap, take, shoot, or kill a game animal shall be fined not less than \$200 or more than \$600, imprisoned in the county jail for not more than 60 days, or both.

(d) A person convicted of unlawfully taking, killing, possessing, transporting, shipping, labeling, packaging, or wasting or unlawfully attempting to take, kill, or possess any game bird, wild turkey, or fish or any part of any such bird or fish or of failure to tag a game animal or game bird as prescribed by law shall be fined not less than \$50 or more than \$200 or imprisoned in the county jail for not more than 30 days, or both.

(e) A person convicted of purposely or knowingly taking, killing, possessing, transporting, shipping, labeling, or packaging a fur-bearing animal or pelt of a fur-bearing animal in violation of any provision of this title shall be fined not less than \$50 or more than \$1,000 or imprisoned in the county jail for not more than 6 months, or both. In addition, that person shall forfeit any current license and the privilege to hunt, fish, or trap for not less than 24 months from the date of conviction and any pelts possessed unlawfully must be confiscated.

(f) A person convicted of hunting, fishing, or trapping while his license is forfeited or his privilege denied shall be imprisoned in the county jail for not less than 5 days or more than 6 months. In addition, that person may be fined not less than \$500 or more than \$1,000.

(3) A person convicted or who has forfeited bond or bail under subsection (2) and who has been ordered to pay restitution under the provisions of 87-1-111 may not apply for any special

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license under Title 87, chapter 2, part 7, or enter any drawing for a special license or permit for a period of 5 years following the date of conviction or restoration of license privileges, whichever is later.

(4) Notwithstanding the provision of subsection (1), the penalties provided by this section shall be in addition to any penalties provided in Title 37, chapter 47, and Title 87, chapter 4, part 2."

Section 8. Section 87-1-502, MCA, is amended to read:

"87-1-502. Qualifications, powers, and duties. (1) Wardens shall be qualified by their experience, training, and skill in protection, conservation, and propagation of wildlife, game, fur-bearing animals, fish, and game birds and interested in this work. They shall devote all of their time for which they are appointed to their official duties.

(2) They shall enforce the laws of this state and the rules of the department with reference to the protection, preservation, and propagation of game and fur-bearing animals, fish, and game birds.

(3) They shall see that persons who hunt, fish, or take game or fur-bearing animals, game birds, or fish and that those persons who make recreational use of leased state lands for hunting and fishing, have the necessary licenses.

(4) They shall assist in the protection, conservation, and propagation of fish, game, fur-bearing animals, and game and nongame birds and assist in the planting, distributing, feeding, and care of fish, game, fur-bearing animals, and game and nongame birds. They shall, when ordered by the department, assist in the destruction of predatory animals, birds, and rodents. They shall perform all other duties prescribed by the department and make a monthly report to the department correctly informing the department of their activities on each day of the preceding month with regard to the enforcement of the fish and game laws, showing where their duties called them and what they did. The reports shall contain any pertinent recommendations the wardens may see fit to make.

(5) A warden may not compromise or settle violations of fish and game laws out of court.

(6) A warden has the authority to inspect any and all fish, game and nongame birds, waterfowl, game animals, and fur-bearing animals at reasonable times and at any location other than a residence or dwelling. Upon request therefor, all persons having in their possession any fish, game and nongame birds, waterfowl, game animals, and fur-bearing animals shall exhibit the same and all thereof to the warden for such inspection."

Section 9. Section 87-1-504, MCA, is amended to read:

"87-1-504. Protection of private property -- duty of wardens as ex-officio firewardens. (1) It shall be the duty of wardens (state conservation officers) to enforce the provisions of 45-6-101, 45-6-203, and 75-10-212(2), [section 11], [section 15], and rules adopted under [section 13] on private and leased state lands being used for the recreational purposes of hunting and

fishing and to act as ex officio firewardens as provided by 77-5-104.

(2) As used in this section, "recreational purposes" means recreational purposes as defined in 70-16-301."

Section 10. Section 87-1-601, MCA, is amended to read:
"87-1-601. Use of fish and game money. (1) All Except as provided in subsection (6), all money collected or received from the sale of hunting and fishing licenses or permits, from the sale of seized game or hides, or from damages collected for violations of the fish and game laws of this state, from appropriations, or received by the department from any other state source shall be turned over to the state treasurer and placed by him in the state special revenue fund to the credit of the department. Any money received from federal sources shall be deposited in the federal special revenue fund to the credit of the department.

(2) That money shall be exclusively set apart and made available for the payment of all salaries, per diem, fees, expenses, and expenditures authorized to be made by the department under the terms of this title. That money shall be spent for those purposes by the department, subject to appropriation by the legislature.

(3) Any reference to the fish and game fund in this code means fish and game money in the state special revenue fund and the federal special revenue fund.

(4) All Except as provided in subsection (6), all money collected or received from fines and forfeited bonds, except money collected or received by a justice's court, relating to violations of state fish and game laws under Title 87 shall be deposited by the state treasurer and credited to the department of fish, wildlife, and parks in a state special revenue fund account for this purpose. Out of any fine imposed by a court for the violation of the fish and game laws, the costs of prosecution shall be paid to the county where the trial was held in any case where the fine is not imposed in addition to the costs of prosecution.

(5) Money received by the department from the sale of surplus real property; exploration or development of oil, gas, or mineral deposits from lands acquired by the department except royalties or other compensation based on production; and from leases of interests in department real property not contemplated at the time of acquisition shall be deposited in an account within the nonexpendable trust fund of the state treasury. The interest derived therefrom, but not the principal, may be used only for the purpose of operation, development, and maintenance of real property of the department, and only upon appropriation by the legislature. If the use of money as set forth herein would result in violation of applicable federal laws or state statutes specifically naming the department or money received by the department, then the use of this money must be limited in the manner, method, and amount to those uses that do not result in such violation.

(6) Money collected or received from fines or forfeited bonds for the violation of [section 11], [section 15], or rules adopted under [section 13] must be deposited as follows:

(a) 50% in an account for use by the department for the enforcement of [section 11], [section 15], and rules adopted under [section 13]; and

(b) 50% in the state lands lessee compensation account established by [section 16] for use by the department of state lands in compensating lessees of state land for damages to improvements, growing crops, or livestock that result from general recreational use."

NEW SECTION. Section 11. License required for general recreational use of leased state lands -- penalty.

(1) A person 12 years of age or older shall obtain an annual license pursuant to [section 12] to use leased state lands for general recreational purposes.

(2) A person shall, upon the request of a peace officer or fish and game warden, present for inspection his recreational use license.

(3) A violator of subsection (1) or (2) is guilty of a misdemeanor and shall be fined not less than \$50 or more than \$500, imprisoned in the county jail for not more than 6 months, or both.

NEW SECTION. Section 12. License fee. (1) Until March 1, 1993, the fee for a license for the general recreational use of leased state lands is \$5, and thereafter the amount of the fee must be determined by the board based upon the cost of administering the state lands lessee compensation account provided for in [section 16].

(2) The department may contract with the department of fish, wildlife, and parks for the distribution and sale of licenses required under [section 11] through the license agents appointed by and the administrative offices of the department of fish, wildlife, and parks and in accordance with the provisions of Title 87, chapter 2, part 9.

NEW SECTION. Section 13. Board to prescribe rules for general recreational use of leased state lands. (1) The board shall adopt rules authorizing and governing the general recreational use of leased state lands allowed under 77-1-203.

(2) Rules adopted under this section must address the circumstances under which the board may close leased state lands to general recreational use. Such action by the board may be taken upon its own initiative or upon petition by an individual, organization, corporation, or governmental agency. Closures may be of an emergency, seasonal, temporary, or permanent nature. Leased state lands may be closed by the board only after public notice and opportunity for public hearing, except when the department is acting under rules adopted by the board for an emergency closure. Closed lands must be posted by the lessee at customary access points with signs provided or authorized by the department.

(3) Closure rules adopted pursuant to subsection (2) may categorically close leased state lands whose use or status is

incompatible with recreational use. Categorical or blanket closures may be imposed on leased state lands due to:

- (a) cabinsite and homesite leases and licenses;
- (b) the seasonal presence of growing crops; and
- (c) active military, commercial, or mineral leases.

(4) The board shall adopt rules providing an opportunity for any individual, organization, or governmental agency to petition the board for purposes of excluding a specified portion of leased state land from a categorical closure that has been imposed under subsection (3).

(5) Under rules adopted by the board, leased state lands may be closed on a case-by-case basis for certain reasons, including but not limited to:

(a) damage attributable to recreational use that diminishes the income-generating potential of leased state lands;

(b) repeated damage to surface improvements of the lessee;

(c) the presence of threatened, endangered, or sensitive species or plant communities;

(d) the presence of unique or special natural or cultural features;

(e) wildlife protection;

(f) noxious weed control; or

(g) the presence of buildings, structures, and facilities.

(6) Rules adopted under this section may impose restrictions upon general recreational activities, including the discharge of weapons, camping, open fires, vehicle use, and any use that will interfere with the presence of livestock. The board may also by rule restrict access on leased state lands in accordance with a block management program administered by the department of fish, wildlife, and parks. Motorized vehicle use by recreationists on leased state lands is restricted to federal, state, and county roads and those roads and trails designated by the department to be open to motorized vehicle use.

(7) The board shall adopt rules providing for the issuance of a special use license for commercial or concentrated general recreational use of leased state lands. Commercial or concentrated general recreational use must be prohibited on leased state lands unless it occurs under the provisions of a special use license.

(8) For a violation of rules adopted by the board pursuant to this section, the department may assess a civil penalty of up to \$1,000 for each day of violation. The board shall adopt rules providing for notice and opportunity for hearing in accordance with Title 2, chapter 4, part 6. Civil penalties collected under this subsection must be deposited as provided in [section 10(6)].

NEW SECTION. Section 14. Liability of state and lessee.

(1) The provisions of 70-16-302 that limit the liability of a landowner or his tenant for the recreational use of property apply to the state and any lessee of state lands used for general recreational purposes.

(2) The lessee is not responsible for the suppression of, or damages resulting from, a fire on his leased land caused by a general recreational user, except that a lessee that observes a fire

caused by a general recreational user shall make reasonable efforts to suppress the fire or report it to the proper fire fighting authority.

NEW SECTION. Section 15. Prior notification to lessee of recreational use -- trespass -- penalty. (1) If a lessee of state lands under [sections 11 through 18] desires to be notified prior to anyone entering upon his leasehold, the lessee shall post, at customary access points, signs provided or authorized by the department. The signs must set forth the lessee's or his agent's name, address, and telephone number. When leased state land is posted, recreational users shall make a reasonable effort to contact and identify themselves to the lessee or his agent for the purposes of minimizing impact upon the leasehold interest and learning the specific boundaries of adjacent unfenced private property.

(2) When property is posted in accordance with subsection (1) and adjacent private property is owned by the lessee of state lands, each recreational user must have obtained permission of the lessee or his agent before entering the adjacent private property owned by the lessee. Entry without permission is an absolute liability offense punishable as a misdemeanor. A violator of this subsection is guilty of a misdemeanor and shall be fined not less than \$50 or more than \$500, imprisoned in the county jail for not more than 6 months, or both.

(3) A person may be found guilty of the offense described in subsection (2) regardless of the absence of fencing or failure to post a notice in accordance with 45-6-201.

NEW SECTION. Section 16. State lands lessee compensation account. (1) There is a state lands lessee compensation account in the state special revenue fund provided for in 17-2-102.

(2) There must be deposited in the account:

(a) all revenue received from the license established by [section 12];

(b) all revenue received from the imposition of fines under [sections 11 and 15] and from civil penalties imposed pursuant to [section 13]; and

(c) money received by the department in the form of legislative appropriations, reimbursements, gifts, federal funds, or appropriations from any source intended to be used for the purposes of this account.

(3) Money deposited in the account is statutorily appropriated, as provided in 17-7-502, and must be used by the department for the following purposes:

(a) compensation for damage to the improvements, growing crops, or livestock of a state land lessee, which has been proved to be caused by recreational users pursuant to [section 17]; and

(b) assistance in weed control management necessary as a result of general recreational use of leased state lands.

(4) A maximum of \$100,000 may be deposited into the account. Additional revenue must be apportioned on a pro rata

basis to the land trusts in proportion to the respective trust's percentage contribution to the total acreage of all state land trusts.

NEW SECTION. Section 17. Compensation for damage to improvements, growing crops, or livestock. A lessee may apply to the department for reimbursement of documented costs of repair to or replacement of improvements, growing crops, or livestock damaged by recreational users of leased state lands. The application must include an affidavit by the applicant setting forth the nature of the loss, allegations and reasonable proof supporting the involvement of recreational users, and documentation of repair or replacement costs. Upon review of the application and supporting proof and upon additional investigation as required, the department shall either grant, modify, or deny the claim. The department, by reason of payment to the lessee for damage to improvements, is entitled to be subrogated to the rights of the lessee to recover the amount paid from the party causing the damage. Payments under this section must be made from the state lands lessee compensation account established by [section 16], and the liability of the department for damage payments is limited to the existing balance of the account. Claim applications are to be considered in the order they are received.

NEW SECTION. Section 18. Weed control management.

(1) The department shall establish a weed control management program for the control of noxious weeds reasonably proved to be caused by the recreational use of leased state lands. The department may by rule establish a noxious weed management program that may include direct compensation for noxious weed control activities or participation in district and county weed control projects or department-initiated weed control activities.

(2) Funding for this program must come from the state lands lessee compensation account pursuant to [section 16].

Section 19. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804;

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19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985; and [section 16].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments. (In subsection (3), pursuant to sec. 10, Ch. 664, L. 1987, the inclusion of 39-71-2504 terminates June 30, 1991.)"

NEW SECTION. Section 20. Appropriation. There is appropriated from the general fund to the land trusts \$20,000 for fiscal year 1992 and \$20,000 for fiscal year 1993. The purpose of the appropriation is to compensate the land trusts for general recreational use of state lands. The appropriation must be apportioned on a pro rata basis to the land trusts in proportion to the respective trust's percentage contribution to the total acreage of all state land trusts.

NEW SECTION. Section 21. Codification instruction. [Sections 11 through 18] are intended to be codified as an integral part of Title 77, and the provisions of Title 77 apply to [sections 11 through 18].

NEW SECTION. Section 22. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 23. Applicability. Upon passage and approval of [this act], the board of land commissioners may commence proceedings to adopt rules to be effective March 1, 1992. The department of state lands and the department of fish, wildlife, and parks may commence proceedings and arrangements necessary to establish a license required under [section 11], to be effective March 1, 1992.

NEW SECTION. Section 24. Effective date. [This act] is effective March 1, 1992."

And, as amended, do pass. Report adopted.

HB 866, introduced bill, be amended as follows:

1. Title, lines 4 through 8.

Following: the second "ACT" on line 4

Strike: the remainder of line 4 through "CONSERVATION; AND" on line 8

Insert: "TRANSFERRING THE FUNCTIONS OF"

2. Title, line 10.

Following: "LANDS"

Strike: "; RENAMING"

Insert: "RELATED TO RECLAMATION OF MINED LANDS, COAL MINING
IMPACTS, AND HARD-ROCK MINING IMPACTS TO"

3. Title, lines 11 through 14.

Following: "SCIENCES" on line 11

Strike: the remainder of line 11 through "AGENCIES" on line 14

4. Title, line 14.

Following: "SECTIONS"

Strike: "2-15-2107, 2-15-3302,"

5. Title, line 15.

Following: "17-5-202,"

Strike: "40-6-128, 75-10-103, 75-10-203,"

6. Title, lines 16 through 20.

Following: line 15

Strike: line 16 through "76-15-103," on line 20

7. Title, line 20.

Following: "80-8-110,"

Strike: "81-23-103,"

8. Title, lines 23 through 25.

Following: "82-4-427," on line 23

Strike: the remainder of line 23 through "85-9-204," on line 25

9. Page 2, line 4.

Following: line 3

Strike: section 1 in its entirety

Renumber: subsequent sections

10. Page 5, lines 7 and 8.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

11. Page 5, line 9.

Following: "through"

Strike: "71"

Insert: "29"

12. Page 5, line 12.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

13. Page 5, line 13.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

14. Page 5, line 14.

Following: line 13

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

15. Page 5, line 15.

Strike: "sections 2-15-3302"

Insert: "2-15-2101"

Following: "and"

Strike: "2-15-3301"

Insert: "2-15-2104"

16. Page 5, line 24.

Following: line 23

Strike: "71"

Insert: "29"

17. Page 6, line 4.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

18. Page 6, line 5.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

19. Page 6, line 6.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

20. Page 6, line 7.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

21. Page 6, line 8.

Following: "of"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

22. Page 6, line 9.

Following: "of"

Strike: "natural resources and environment"
Insert: "health and environmental sciences"

23. Page 6, line 16.
Following: line 15
Strike: "natural resources and environment"
Insert: "health and environmental sciences"

24. Page 6, lines 20 and 21.
Following: "of" on line 20
Strike: "natural resources and environment"
Insert: "health and environmental sciences"

25. Page 6, lines 21 and 22.
Following: "of" on line 21
Strike: "natural resources and environment"
Insert: "health and environmental sciences"

26. Page 6, line 25.
Following: "of"
Strike: "natural resources and environment"
Insert: "health and environmental sciences"

27. Page 7, line 1.
Following: "through"
Strike: "71"
Insert: "29"

28. Page 7, line 5.
Following: "through"
Strike: "71"
Insert: "29"

29. Page 7, line 7.
Following: "of"
Strike: "natural resources and environment"
Insert: "health and environmental sciences"

30. Page 8, line 8.
Following: "through"
Strike: "71"
Insert: "29"

31. Page 8, line 11.
Following: "through"
Strike: "71"
Insert: "29"

32. Pages 7 through 13.
Following: line 11 on page 7
Strike: sections 3 through 6 in their entirety
Re-number: subsequent sections

33. Page 14, line 11.

Following: "~~conservation~~"

Strike: "~~environment~~"

Insert: "conservation"

34. Pages 14 through 23.

Following: line 22 on page 14

Strike: sections 9 through 11 in their entirety

Re-number: subsequent sections

35. Page 24, line 14.

Following: "~~reclamation,~~"

Strike: "~~and~~"

Insert: ", "

36. Page 24, line 18.

Following: "~~conservation~~"

Insert: ", and provisions of the Montana Major Facility Siting Act administered by the department of natural resources and conservation"

37. Pages 24 through 67.

Following: line 21 on page 24

Strike: sections 13 through 35 in their entirety

Re-number: subsequent sections

38. Page 67, lines 20 and 21.

Following: "~~sciences~~" on line 20

Strike: "~~natural resources and environment~~"

Insert: "health and environmental sciences"

39. Page 68, lines 13 and 14.

Following: "~~lands~~" on line 13

Strike: "~~natural resources and environment~~"

Insert: "health and environmental sciences"

40. Pages 69 and 70.

Following: line 6 on page 69

Strike: section 37 in its entirety

Re-number: subsequent sections

41. Page 70, line 14.

Following: line 13

Strike: "~~natural resources and environment~~"

Insert: "health and environmental sciences"

42. Page 70, lines 15 and 16.

Following: "~~state~~"

Strike: "~~Title 2, chapter 15, part 33~~"

Insert: "2-15-2104"

43. Page 70, line 18.

Following: line 17

Strike: "~~natural resources and environment~~"

Insert: "health and environmental sciences"

44. Page 70, line 19.

Following: "~~32~~"

Strike: "33"

Insert: "21"

45. Page 78, line 4.

Following: line 3

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

46. Page 78, lines 5 and 6.

Following: "~~state~~" on line 5

Strike: "Title 2, chapter 15, part 33"

Insert: "2-15-2104"

47. Page 79, line 13.

Following: "~~lands~~"

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

48. Page 79, line 14.

Following: "~~32~~"

Strike: "33"

Insert: "21"

49. Page 85, line 21.

Following: line 20

Strike: "natural resources and environment"

Insert: "health and environmental sciences"

50. Pages 103 through 114.

Following: line 6 on page 103

Strike: sections 56 through 64 in their entirety

Renumber: subsequent sections

51. Page 115, line 8.

Following: "~~conservation~~"

Strike: "environment"

Insert: "conservation"

52. Page 115, line 10.

Following: "~~sciences;~~"

Insert: "the department of health and environmental sciences;"

53. Pages 115 and 116.

Following: line 13 on page 115

Strike: section 66 in its entirety

Renumber: subsequent sections

54. Page 116, line 6.

Following: "Section"

Strike: "55"
Insert: "23"

55. Page 116, line 8.
Following: "section"
Strike: "55"
Insert: "23"

56. Page 116, line 21.
Following: line 20
Strike: "66"
Insert: "24"

Page 116, line 21.
Strike: "concluded"
Insert: "conclude"

Page 117, line 2.
Strike: "upon"
Insert: "on"

57. Page 117, line 2.
Following: "Sections"
Strike: "67"
Insert: "25"
Following: "through"
Strike: "70"
Insert: "28"

58. Page 117, line 4.
Following: "through"
Strike: "66"
Insert: "24"

59. Page 117, line 5.
Following: "section"
Strike: "70"
Insert: "28"

And, as amended, do pass. Report adopted.

HB 889, introduced bill, be amended as follows:

1. Title, line 6.
Following: "RESTORATION"
Strike: "AND"
Insert: "OR"

2. Title, line 7.
Following: "AND"
Insert: "RESTORATION AND CONTINUANCE OF"

3. Title, line 16.

Following: "DATE AND"
Strike: "AN"

4. Title, line 17.
Strike: "DATE"
Insert: "DATES"

5. Statement of Intent, page 1, lines 23 and 24.
Following: "plans," on line 23
Strike: "interpret the definition of beneficial uses of water,"
Insert: "provide criteria for the establishment of boundaries of water protection areas,"

6. Statement of Intent, page 2, line 19.
Following: "restoration"
Strike: "and"
Insert: "or"

7. Statement of Intent, pages 2 and 3.
Following: line 20 on page 2
Strike: line 21, page 2 through line 4, page 3 in their entirety

8. Statement of Intent, page 3, line 9.
Following: "plan"
Insert: ", to ensure compliance with the plan following permit issuance, and to investigate complaints pursuant to 82-4-355(3)"

9. Statement of Intent, page 3, line 12.
Following: "consultants"
Strike: "and"
Insert: ", "

10. Statement of Intent, page 3, line 13.
Following: "analysis"
Insert: ", and permit compliance inspections and monitoring"

11. Page 6, lines 18 through 22.
Following: "85-2-102(2)" on line 18
Strike: remainder of line 18 through "habitat" on line 22

12. Page 12, lines 5 through 8.
Following: "area" on line 5
Strike: the remainder of line 5 through "area" on line 8
Insert: "where the quality, quantity, and hydrologic balance of surface water and ground water may be adversely affected by contamination, diminution, or interruption proximately resulting from the proposed mining operations"

13. Page 13, lines 22 and 23.
Following: "bodies" on line 22
Insert: ", "
Following: "ownership"
Insert: ", "

Strike: remainder of line 22 through "but" on line 23

14. Page 14, line 1.

Following: page 13

Strike: "water right."

Insert: "valid right to appropriate water"

15. Page 14, lines 1 through 3.

Following: "chapter 2" on line 1

Strike: remainder of line 1 through "uses" on line 3

16. Page 16, line 20.

Following: "plan"

Insert: ", to ensure compliance with the plan following issuance of a permit, and to investigate complaints pursuant to 82-4-355(3)"

17. Page 24, line 22.

Following: ",'"

Insert: "or"

18. Page 24, line 23 through page 25, line 2.

Following: line 22

Strike: subsection (f) in its entirety

Renumber: subsequent subsection

19. Page 26, line 10.

Following: "replacement"

Strike: "or"

Insert: "and"

20. Page 28, line 7.

Following: "restoration"

Strike: "and"

Insert: "or"

21. Page 29, line 10.

Following: "protection"

Insert: "of water resources"

Following: "restoration"

Strike: ", and"

Insert: "or"

22. Page 30, line 11.

Following: "restoration"

Insert: "or replacement"

23. Page 32, line 4.

Following: "restoration"

Strike: "and"

Insert: "or"

24. Page 32, line 15.

Following: "restoring"

Strike: "and"
Insert: "or"

25. Page 33, line 3.
Following: "restoration"
Strike: "and"
Insert: "or"

26. Page 33, line 8.
Following: "restoration"
Strike: "and"
Insert: "or"

27. Page 37, line 18.
Following: "users."
Strike: "(1)"

28. Pages 38 through 42.
Following: line 5 on page 38
Strike: the remainder of section 17 in its entirety

29. Page 43, line 11.
Following: "by"
Strike: "clear and convincing"
Insert: "a preponderance of"

30. Page 43, lines 13 through 22.
Following: "boundaries" on line 13
Strike: the remainder of line 13 through "use" on line 22

31. Page 44, line 18.
Following: "by"
Strike: "clear and convincing"
Insert: "a preponderance of"

32. Page 45, line 1.
Following: "82-4-354."
Strike: "Mandamus to compel enforcement"
Insert: "Enforcement -- administrative review -- mandamus"

33. Page 45, line 13.
Following: "receipt of"
Strike: "the"
Insert: "an"
Following: "affidavit"
Insert: "that alleges facts demonstrating probable cause that a violation of
this part or a rule adopted under this part has occurred"

34. Page 45, line 17.
Following: "affidavit"
Insert: ", "

35. Page 45, line 18.

Following: "place"

Insert: "or stating that supplemental investigation is necessary,"

36. Page 45, line 19.

Following: "permittee."

Insert: "If the department determines that supplemental investigation is necessary, the commissioner shall include in the written response a statement of the reasons and a specific timeframe, not to exceed 30 days unless the commissioner demonstrates good cause that more time is needed, for completion of the investigation and issuance of the commissioner's statement agreeing or disagreeing that a violation has taken place."

37. Page 45, line 24.

Following: line 23

Strike: "appeal the commissioner's determination to the board"

Insert: "request an administrative hearing"

Following: "or"

Insert: ", if the commissioner's decision is arbitrary, capricious, or an abuse of discretion,"

38. Page 46, lines 5 and 6.

Following: "board" on line 5

Strike: "or bring an action of mandamus"

39. Page 46, line 7.

Following: "occurred"

Insert: "or bring an action of mandamus"

40. Page 46, lines 10 and 11.

Following: "shall" on line 10

Strike: ";"

(a)"

41. Pages 46 and 47.

Following: line 14 on page 46

Strike: subsection (b) in its entirety

42. Page 47, line 15.

Following: line 14

Insert: "(5) The court, in issuing a final order in any action brought pursuant to subsection (3), may award costs of litigation, including attorney and expert witness fees, to any party whenever the court determines such award is appropriate. The court may, if a temporary restraining order or preliminary injunction is sought, require the filing of a bond or equivalent security in accordance with the Montana Rules of Civil Procedure.

(6) A person having an interest that is or may be adversely affected may commence a civil action on his own behalf to compel compliance with this part against any person for the violation of this part or any rule, order, permit, or license issued under it. However, an action may not commence:

(a) prior to 60 days after the plaintiff has given notice in writing to the department and to the alleged violator; or

(b) if the department has commenced and is diligently prosecuting a civil action to require compliance with the provisions of this part or any rule, order, permit, or license issued under it."

Renumber: subsequent subsections

43. Page 47, line 17.

Following: "under"

Strike: "this section."

Insert: "subsection (6).

(8) A person who is injured in his person or property through the violation by any permittee or licensee of a rule, order, permit, or license issued pursuant to this part may bring an action for damages, including reasonable attorney and expert witness fees, against the permittee or licensee only in the county in which the exploration or mining operation complained of is located. Nothing in this subsection affects the rights established by or limits imposed under Title 39, chapter 71."

Renumber: subsequent subsection

44. Page 48, line 3.

Following: "the"

Strike: "operator"

Insert: "permittee or licensee"

45. Page 48, line 5.

Following: "supply"

Insert: "proximately"

46. Page 48, line 7.

Strike: "(2)"

Insert: "(3)"

47. Page 48, lines 8 through 11.

Following: "suit" on line 8

Strike: the remainder of line 8 through "1991" on line 11

48. Page 48, line 12.

Following: line 11

Insert: "(2) Prima facie evidence of injury in a suit under this section is established by a showing that the ore body or overlying strata is an aquifer in that location and that the ore body or the overlying strata has been removed or disrupted. A prima facie showing shifts the burden to the defendant permittee or licensee to show that the plaintiff owner's water supply was not injured by the removal or disruption."

Renumber: subsequent subsection

49. Page 48, line 15.

Following: "department"

Insert: "shall"

50. Page 48, line 16.

Following: "(i)"

Strike: "shall"

51. Page 48, line 18.

Following: line 17

Insert: "the water protection plan and"

Following: "site"

Insert: "and within the water protection area"

52. Page 48, line 19.

Following: "(ii)"

Strike: "may"

53. Page 48, line 23.

Following: "(iii)"

Strike: "shall"

Following: "issue"

Insert: "within 90 days"

54. Page 48, line 25.

Following: line 24

Strike: "and"

Insert: "or"

55. Page 49, lines 1 through 3

Following: "(iv)"

Strike: the remainder of line 1 through "operation," on line 3

56. Page 49, line 5.

Following: "within"

Strike: "a reasonable time"

Insert: "45 days"

57. Page 49, line 6.

Following: "duration"

Strike: ". If"

Insert: ";

(v) if"

58. Page 49, line 7.

Following: "replaced"

Insert: ", pursuant to subsection (3)(a)(iv)"

Following: ";

Strike: "the department shall"

59. Page 50, line 6.

Following: "rules"

Insert: "at an operation within the state"

60. Page 54, line 9.

Following: "to"

Strike: "proceedings begun"

Insert: ":

(1) proposed operations for which an application for an operating permit is filed or for which an application for an amended or revised permit to expand operations is filed"

Following: "1991"

Insert: "; and

(2) operations for which an application for an operating permit was filed prior to [the effective date of this act] and for which the operating permit has not been issued or for which the operating permit has been issued and the operator has not commenced mining prior to October 1, 1992"

And, as amended, do pass. Report adopted.

HB 956, introduced bill, be amended as follows:

1. Title, line 7.

Following: "RESTORATION"

Strike: "AND"

Insert: "OR"

Following: "RESOURCES AND"

Insert: "RESTORATION AND CONTINUATION OF"

2. Statement of Intent, page 1, lines 23 and 24.

Following: "plans,"

Strike: "interpret the definition of beneficial uses of water,"

Insert: "provide criteria for the establishment of boundaries of water protection areas,"

3. Statement of Intent, page 2, line 20.

Following: "restoration"

Strike: "and"

Insert: "or"

4. Statement of Intent, page 3, lines 4 through 12.

Strike: lines 4 through 12 in their entirety

5. Statement of Intent, page 3, line 17.

Following: "plan"

Insert: "and to investigate complaints pursuant to 82-4-253(3)"

6. Page 8, lines 1 through 5.

Following: "85-2-102(2)" on line 1

Strike: the remainder of line 1 through "habitat" on line 5

7. Pages 14 and 15.

Following: "area" on page 14, line 23

Strike: the remainder of line 23 through "area" on page 15, line 2

Insert: "where the quality, quantity, and hydrologic balance of surface water and ground water may be adversely affected by contamination, diminution, or interruption proximately resulting from the proposed mining operations"

8. Page 15, lines 11 and 12.

Following: "bodies" on line 11

Insert: ", "

Following: "ownership"

Strike: the remainder of line 11 through "but" on line 12

9. Page 15, line 15.

Following: line 14

Strike: "water right"

Insert: "valid right to appropriate water"

10. Page 15, lines 15 through 17.

Following: "2" on line 15

Strike: the remainder of line 15 through "uses" on line 17

11. Page 29, line 17.

Following: "plan"

Insert: "and investigation of complaints pursuant to 82-4-253(3)"

12. Page 32, line 8.

Following: "board;"

Insert: "or"

13. Page 32, lines 9 through 13.

Strike: subsection (f) in its entirety

Renumber: subsequent subsection

14. Page 33, line 12.

Following: "replacement"

Strike: "or"

Insert: "and"

15. Page 60, line 7.

Following: "protection"

Insert: "of water resources"

16. Page 67, line 10.

Following: "permittees"

Strike: "and water users"

Following: "."

Strike: "(1)"

17. Pages 67 through 72.

Following: line 23 on page 67

Strike: the remainder of section 18 in its entirety

18. Page 73, lines 4 and 5.

Following: "by" on line 4

Strike: "clear and convincing"

Insert: "a preponderance of"

19. Page 73, lines 6 through 15.

Following: "boundaries" on line 6

Strike: the remainder of line 6 through "use" on line 15

20. Page 74, line 11.

Following: "by"

Strike: "clear and convincing"

Insert: "a preponderance of"

21. Page 80, line 25.

Following: "82-4-252."

Strike: "Mandamus."

Insert: "Enforcement -- administrative review -- mandamus."

22. Page 81, line 13.

Following: "receipt of"

Strike: "the"

Insert: "an"

Following: "affidavit"

Insert: "that alleges facts demonstrating probable cause that a violation of the act or rules has occurred"

23. Page 81, line 19.

Following: "place"

Insert: "or stating that supplemental investigation is necessary. If the department determines that supplemental investigation is necessary, the commissioner shall include in the written response a statement of the reasons and a specific timeframe, not to exceed 30 days, unless the commissioner demonstrates good cause that more time is needed for completion of the investigation and issuance of the commissioner's statement agreeing or disagreeing that a violation has taken place"

24. Pages 81 and 82.

Following: "may" on page 81, line 25.

Strike: the remainder of line 25 through "board" on page 82, line 1

Insert: "request an administrative hearing"

25. Page 82, line 1.

Following: "or"

Insert: ", if the commissioner's decision is arbitrary, capricious, or an abuse of discretion,"

26. Page 82, lines 8 and 9.

Following: "board" on line 8

Strike: "or bring an action of mandamus"

27. Page 82, line 10.

Following: "occurred"

Insert: "or bring an action of mandamus"

28. Page 82, lines 13 and 14.

Following: "shall" on line 13

Strike: ";"

(a)"

29. Pages 82 and 83.

Following: line 18 on page 82

Strike: subsection (b) in its entirety

30. Page 83, line 19.

Following: line 18

Insert: "(5) A person having an interest that is or may be adversely affected may commence a civil action on his own behalf to compel compliance with this part against any person for the violation of this part or any rule, order, or permit issued under it. However, an action may not commence:

(a) prior to 60 days after the plaintiff has given notice in writing to the department and to the alleged violator; or

(b) if the department has commenced and is diligently prosecuting a civil action to require compliance with the provisions of this part or any rule, order, or permit issued under it."

Renumber: subsequent subsections

31. Page 84, line 12.

Following: ~~"appropriate."~~

Insert: "The court, in issuing a final order in any action brought pursuant to subsection (3), may award costs of litigation, including attorney and expert witness fees, to any party whenever the court determines an award is appropriate."

32. Page 85, line 16.

Following: "information"

Insert: ", "

Following: "including"

Insert: "the water protection plan and"

33. Page 85, line 17.

Following: "site"

Insert: "and in the water protection area"

34. Page 86, line 4.

Following: "by the"

Strike: "surface"

35. Page 86, lines 19 through 21.

Following: line 18

Strike: subsection (6) in its entirety

36. Page 87, line 15.

Following: "to"

Strike: "proceedings begun"

Insert: "proposed mining operations for which an application for an operating permit is filed or for which an application for a permit renewal or for an amended or revised permit to expand operations is filed"

And, as amended, do pass. Report adopted.

SB 99, third reading copy, be amended as follows:

1. Title, line 8.

Following: "**PROVIDING**"

Insert: "A PREFERENCE FOR PRIVATELY OPERATED SOLID WASTE
MANAGEMENT SYSTEMS; PROVIDING"

2. Title, line 9.

Strike: "**FOR**"

Insert: "**TO ENABLE**"

3. Title, line 10.

Strike: "**PUBLIC**" through "**TO**"

Following: "**DETERMINE**"

Strike: "**ON**"

Insert: "**TO DETERMINE**"

4. Page 1, line 25.

Strike: "**AND**"

5. Page 2, line 2.

Strike: "**STANDARDS**"

Insert: "required assumptions and calculations of costs and benefits"

6. Page 2, line 4.

Following: "**and**"

Insert: "; and

(3) justification of the decision of an applicant to use
private or public management of the proposed solid waste
management system"

7. Page 3, line 3.

Following: "state."

Insert: "Local governments have primary responsibility for determining,
under procedures developed by the department pursuant to 75-10-
104, the extent that private industry is used in solid waste
management systems and shall provide a preference to private
industry if costs and services are substantially equal to alternate,
publicly operated services."

8. Page 5, line 19.

Strike: "**AND**"

9. Page 5, line 21.

Following: "**and**"

Insert: "; and

(9) provide a procedure for local governments to determine
if solid waste management systems should be operated by local
government or private industry"

10. Page 6.

Following: line 9

Insert: "(b) the procedures for determining if a solid waste management system should be managed by a local government or private industry;"

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SB 314, third reading copy, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HJR 47, introduced by Gould, Fritz, Brooke, Kadas, Squires, Pipinich, Larson, Toole, Hansen, Stang, Ream, Pinsoneault, Cocchiarella, Halligan, Farrell, Van Valkenburg, Thomas, Schye, referred to Committee on Education and Cultural Resources

ANNOUNCEMENTS

HB 2 (main Appropriations bill) will be distributed on members desks by 5:00 p.m. today. Members are encouraged to put in their requests for amendments to the Amendments Coordinator as soon as possible.

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 1:00 p.m., Friday, March 22, 1991. Motion carried.

House adjourned at 2:50 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

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